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TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

Regular meeting of the Board of Selectmen held Monday, January 5, 1998. **Members present** were: Peter V. Lawlor, William F. Dalton, Philip M. Eliopoulos, Stuart G. Weisfeldt and Susan J. Gates. Town Manager Bernard Lynch was also present.

During **Open Session Peggy Dunn spoke about Winterfest,** and passed out the new buttons. Winterfest is Feb. 6, and 8, with a kickoff dance at the Elks Friday night run by the Southwell Field Association. There will be the same activities as last year and the schedule will be out soon. Buttons are on sale around Town. Mr. Lawlor commented that this is one of the best things the Town does, next to the 4th of July celebration.

Bill Griffin, Precinct 2, spoke to the BOS about things that happened during the Dec. 23rd snowstorm, and said that he has several points and wants to work with the BOS and School Committee on a policy to safeguard our children.
Mr. Griffin noted 2 situations: 1. an elementary schoolbus slid off the road from Porter to Turnpike, the driver was unable to communicate due to radio failure. Mr. Griffin called the police and a second bus was sent to bus the children home. He said that the two bus drivers performed very well. The second incident was that his own first grade son was left off on the wrong side of Tyngsboro Road and had to cross two lane of traffic.

Dick Howe, 29 Samuel Road, said that his daughter was on the third bus in that area and he thinks it was a poor decision to have a first grader walk not from her own stop but .7 miles away from her home. **He asked who made the decision and what were the guidelines** - the buses didn't follow their normal routes and South Row pupils were doubled up. Why wasn't the Emergency Contact list used and why could no one tell them what bus their daughter was on. He asked did the radio system fail on the buses? Who will be responsible for updating and implementing a plan?
Mr. Howe sees two solutions: 1. hold the kids at school, which happened in other Towns, and 2. if a bus is stuck, go back to the Emergency Contact list. He said he tried to be calm and think about the decisions, knowing everyone was stressed out. The transportation manager seemed indifferent and said he didn't want to risk 50 kids, only 6 - 10 at a time. He said several parents are here tonight and asked his son Brian to tell what happened. Brian said several children were crying when they were told to get off the bus and walk home and the bus driver raised her voice at them.
Mr. Howe wants to sit down with the BOS and School Committee

Mr. Lawlor explained what had happened - it was a surprise snowstorm and the elementary students are the last to be bussed home.

Ms. Gates said to Mr. Lynch that she understands but this time the Town didn't get out there soon enough. **We need more communication between the DPW, Police and School Departments - no one wanted to do a bad job.**
Mr. Lynch said he won't call it a failure to communicate - he talked with the Supt. of Schools at noon and they proposed a staggered release. He was aware of the problem - the buses couldn't maneuver around Town and got stuck. Ms. Gates said she wants to make sure it's not a problem that we caused.

Mr. Lynch said that Mr. Howe and Mr. Griffin are right in taking the problem to the School Committee, since they're the ones who award the bus contract. In retrospect we all wish school had been called off but the snow got really heavy after school had started and once the kids are there, it is hard to get them home.

Mr. Dalton presented a policy on this issue and said he has had numerous complaints re this storm. Mr. Lynch said 60 pieces of equipment were called out at 9:00 am and Mr. Dalton said that was not what he heard from private contractors. We need to get on the snow and clean it up ASAP. He read his policy: "It shall be the policy of the Board of Selectmen to instruct the Town Manager when there is an accumulation of three (3) or more inches of snow to have all Town-owned plows and private contractors to begin plowing. This policy is to address public safety emergency response times to make sure there is adequate protection for residents during snowstorms and our streets will be passable to all motor vehicle traffic." and asked to waive the BOS policy of waiting until the next meeting and voting on the policy tonight.

Mr. Lynch said this was a particularly difficult storm, the weather bureau was wrong at first and no one expected it to be as bad as it was. Mr. Lawlor said we will not discuss Mr. Dalton's policy until Mr. Lynch has given his snow report. Mr. Griffin said that we parents have some good ideas and asked if the BOS will help by joining with the School Committee to form a policy. Mr. Lawlor said that on behalf of the Town we will coordinate with the Town and the School Committee.

The BOS then held a joint meeting with the Housing Authority to fill a vacancy. Chairman Lawlor called the meeting to order at 7:35 p.m. noting that all members of the BOS were present, and CHA Chairman Lynn Marcella said that all her members were present.
Motion by William Keohane, seconded by Lynn Marcella, to accept the application received from Scott Johnson, 25 Samuel Road and appoint him to fill the term vacated by Robert Hughes until the next Annual Town election. The vote by both Boards was unanimous, with one abstention (Selectman Dalton due to a conflict).

Kathy Frazer, Bell Atlantic, was present with a petition for an extension of the pad and cabinet location on Princeton Street. The pad existing was granted in 1990. Mr. Eliopoulos asked if they have State approval, since Princeton Street is a State road and Ms. Frazer said they have started that process and can't proceed without it. Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve the extension of the pad on Princeton Street.
Mr. Dalton asked Ms. Frazer about the double pole situation and she said they have completed a new survey and are working with Mass. Electric. They will have crews out diligently in the next few weeks.

A Public Hearing was then held on the application of Amici C.R.D. d/b/a Amici's Trattoria, 7 Summer Street, for a Wine and Malt Beverages license. Attorney James D'Angora, Jr. represented Amici's and said that they are an Italian restaurant and have been at that location for app. one year and would like to serve

beer and wine with their lunch and dinner menu from 11 am to midnight. This will be served only to sitdown customers and there will be no bar. **The application is in response to patrons' requests.** Mr. D'Angora presented a petition signed by 918 patrons, 70% from the Chelmsford area, requesting this service.
Mr. D'Angora said the restaurant has a seating capacity of 36, and now seats 30. He said the manager Robert Frederico has 12 years experience in the food and liquor industry, and also has a restaurant in Billerica. All those employees are TIP certified and they will also be in Chelmsford.
No one present spoke in favor of or opposition to this application.
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to **grant a Wine and Malt Beverages Common Victualer license to Amici C.R.D. d/b/a Amici's Trattoria,** 7 Summer Street with hours from 11 am to 12 midnight daily.

Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to **approve the minutes of: Nov. 13, Nov. 17 and Dec. 1, all Reg. & Ex. Sessions.**
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, to **approve the minutes of Dec. 22, 1997.** Vote was 4 in favor, 1 abstention (Ms. Gates because she was not present.)

Under **Town Manager Reports, Mr. Lynch said we have received the auditors reports for FY97, including the Management Letter, Grant Audit and Audit of the General Financial Statements.** Mr. Lynch is recommending that we ask the auditors to come to a meeting within the next month or so, and Mr. Lawlor asked that we include the School and Finance Committees at that meeting.

Mr. Lynch reported on the condition of Brick Kiln Road, saying that he spoke with Billerica Administrator Bob Mercier today. The flooded part of the road is in Billerica and there is a beaver dam there. We're working with UPS and the Town of Billerica to improve the road conditions. We can't spend public monies there because it is not a Town road.

Mr. Lynch gave the BOS a report on Grinder pumps, with the help of Jim Pearson. He asked the BOS to review the reports and determine the issues that we have - the Sewer Commission recommends grinder pumps for app. 200 property owners. **The issue is one of what should the Town do to eliminate the need and how to be fair to the sewer users.** We'll waive the cost of the pumps and betterment fees and he went over the policy options: 1. keep as is; 2. let the people choose whether or not to go on the sewerage system; or 3. have the Town maintain the pumps. There has to be an easement if we maintain something on private property; there are legal ramifications if a pump fails because of misuse; in power failures the first priority is to take care of the most people, not individuals. **We estimate an increase of 5 - 7% in user fees if we have to maintain them.** As for retroactive accommodations, there are nearly 2,000 units served by pumps installed and maintained by the properties entirely. Option 4 - a combination approach - the concerns are the Town's risk and the Town's cost in driving up user fees, and public service delivery can't be equal to all people.
Mr. Lynch recommended that we maintain the existing practice, and he is trying to set up a meeting with the BOS and the Sewer Commission. Mr. Lawlor recommended that we defer action until we read Mr. Lynch's report and meet with

the Sewer Commission members. Ms. Gates said the issue of grinder pumps came up a long time ago, and was Jim Pearson asked for his recommendation? Mr. Lynch said No, the BOS wasn't contacted at that time.

Mr. Lynch said that the maintenance is similar to using booster pumps for water. This wasn't an issue that should have come to the BOS, it is a private matter. Ms. Gates asked if Mr. Pearson gave an opinion was it given to the BOS or Town Manager, and Mr. Lynch said No, only to the Sewer Commission. Sewer Commissioner Barry Balan said we take the DPW Director's recommendations, and they are all in the minutes of their meetings. Mr. Lawlor said to Noel Heinrich that the BOS has received his documents with his Dec. 29 notes and he will get a copy of the reports by Mr. Lynch and Mr. Pearson. Mr. Eliopoulos said he wants to have a meeting with the DPW and Sewer Commission before our next meeting.

Mr. Lynch then gave his report on the Dec. 23rd snowstorm. He said it was a major storm, the worst in at least a dozen years, with 2 feet of snow in some areas, and the difference was that it was not anticipated. The rate of snowfall was tremendous - it started between 7 and 8 am and ended around 4 pm with 2 feet of snow, two days before Christmas. People were out driving and shopping and school was in session. We spent $100,000 on this storm - we sanded early and called out 58 pieces of equipment. Problems were the rate of the snowfall, traffic, abandoned cars, a tractor trailer jackknifed on Rte. 129 and a lot of our equipment couldn't keep up with it. We tried to use smaller plows and overall he thinks we did a good job with a tough storm. There were a couple of problem areas and a couple of oversight issues. He hopes that the School Committee will take up the bus issues with Bruce Transportation.

Re Mr. Dalton's policy, Mr. Lynch said there needs to be some discretion - our policy is also to start plowing at three inches. Mr. Lynch added that several years ago the BOS adopted a well-intentioned policy to use no road salt and that didn't work in an ice storm. We need discretion as to when to plow and look to what makes sense to minimize expenses. We shouldn't tie the hands of the DPW Department. Mr. Dalton said he doesn't think his policy is irresponsible, that we've had a surplus each year for the last 4 years and we should spend enough on roads to have the streets plowed better. Now we've reversed with Lowell in having the worst plowing job, and the private contractors think we're waiting too long to call them out.
Mr. Lawlor noted that Mr. Dalton has made two motions - 1. to adopt his policy, and 2. to waive the BOS policy and vote tonight.

Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to waive the policy of waiting until our next meeting to vote on a policy.

Motion by Mr. Dalton, seconded by Mr. Eliopoulos, to adopt his snowplowing policy as read. Ms. Gates said she thought it was the Town's policy to go out at 3" but she supports trying Mr. Dalton's policy. We're allowed to go in the red with the Snow and Ice Account and we can always rescind it - there is no major harm in doing it.

Dr. Weisfeldt said he called the Town Hall at noon and learned that all the plows were out and Billerica and Lowell roads were not that great, either. He hates to do a reactive-type policy.
Mr. Eliopoulos said it was a very unusual storm and can't judge the Town by that type of storm. He feels our Board should support the 3" policy, and asked Mr. Lynch at what point would he do it anyway. Mr. Lynch said we need discretion as to how many contractors we should call in at 3" when only 5" is expected. The way this policy is written it affects private contractors, and there has to be some discretion as to when we send out privates. Mr. Eliopoulos asked is each contractor responsible for a certain area, and Mr. Lynch said that at night we can do it all with our own plows.

Bill Griffin said he has a videotape of Mill Road last year on Dec. 24 and he saw a 4-ton Town truck stuck on Queen Street, and the sander came and only sanded that street. He feels that we should have requirements of contractors that they can handle all types of storms, and that people would rather spend a little extra money to be safe.
Mr. Lawlor said he won't support the motion and he doesn't think the policy provides us with a value added in our snow removal policy. Our performance in removing snow in his storm is at a C-level and he agrees with Mr. Dalton that there has been a decrease in the quality of our snow removal.
Vote on Mr. Dalton's snow removal policy was 3 in favor (WFD SJG and PME), 2 opposed (PVL and SGW).

Mr. Lynch said he has **appointed Katie Roark to the Sign Advisory Committee.** Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this appointment.

Under **Contract Awards, Mr. Lynch said we have a $25,000 grant from HUD and we are going to look at revising zoning by-laws and a follow-up on the Master Plan work. He is awarding the contract to Attorney Mark Bobrowski.**
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this bid award. Ms. Gates asked if it is a coincidence that he is an attorney and what is John Brown Associates? Mr. Lynch told her that they are planners and Mr. Bobrowski is a planner who happens to also be an attorney. Both proposals were for $25,000.00.

Under BOS Reports Dr. Weisfeldt said that Dr. Moser gave a good presentation at the **School Committee** meeting on re-districting. It is a prudent plan and the hearing is on Jan. 8th.
Dr. Weisfeldt congratulated Mark Pelchat for qualifying in the 500 meter speed skating for the Olympics.
He asked the Town Manager to look into other cable companies to give some competition to Media One. He called and got a recording when his cable went out last Sunday.
Dr. Weisfeldt reported that he has had calls re the Water District problem - do we have any jurisdiction? He told them No but wants an independent review. Mr. Lynch said he will speak to Town Counsel but they are separate legislative bodies.
He commended Mr. Lynch for getting out and looking over the situation and sending out plows. Dr. Weisfeldt said that for people with health problems, in an emergency they can call the police and they will respond.

Mr. Eliopoulos said that during his campaign he looked at the Senior Tax Rebate program in Town and it is a great program. He has talked to a lot of participants and we don't have enough in the budget to let them participate yearly. He wanted to increase the amount in the budget and Mr. Lynch has already done so, to $20,000 from $12,500 and Mr. Eliopoulos appreciates it.
He reported that the FinCom starts their budgetary reviews with the department heads next week.
Mr. Eliopoulos would like to meet with EDP to discuss commercial properties becoming vacant, and also talk to the owner of the Chelmsford Mall, asking what can we do to help out.
He thinks the BOS needs to plan what departments we want operational reviews of in the coming year.

Mr. Dalton said he had not much to report.

Ms. Gates said she has had calls re the outage on Media One again and we have had enough complaints that we need to follow through on. They knew they had to do a telephone survey at the Nov. 5 meeting, and we need to hold a hearing that allows us to fine them.
Ms. Gates asked for a step-by-step follow-up when snow is forecast - who at the Police Dept. interfaces with the School Dept.? Mr. Lynch said the Officer in charge, and mostly the DPW. Ms. Gates said she wants to see the chain of events and Mr. Lynch said he will get her a report on that. She asked who is the person who determines whether there will be school or not, and Mr. Lynch said Dr. Moser, he relies on staff and other communities. Ms. Gates said if there is a meeting on this matter she wants Mr. Dalton to be the BOS liaison.
Ms. Gates asked about tax assessment of historic properties and Mr. Lynch said that Diane Phillips is working on it.

Mr. Lawlor asked if anyone else wanted to speak in Open Session and no one did. He told Mr. Griffin and Mr. Howe that he hss appointed Mr. Dalton to follow through on matters that they brought to the Board's attention, and said that their next move is to approach the School Committee. He added that non-school resources need to be more coordinated and we will follow through on the BOS end.

At 9:00 p.m. motion by Mr. Dalton, seconded by Mr. Eliopoulos, to adjourn to Executive Session to discuss potential litigation and collective bargaining. Roll Call vote was as follows: WFD-Aye; PME-Aye; SGW-Aye; SJG-Aye and PVL-Aye.

For the Board of Selectmen, by

Judith E. Cata

Town Clerk

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TOWN OF CHELMSFORD
MIDDLESEX, SS.

Regular meeting of the Board of Selectmen held Monday, January 26, 1998. Members present were: Peter V. Lawlor, William F. Dalton, Philip M. Eliopoulos, Stuart G. Weisfeldt and Susan J. Gates. Town Manager Bernard Lynch was also present.

Chairman Lawlor called the meeting to order at 7:00 p.m. and said he was taking the Brick Kiln Road matter out of order. He said that last Friday afternoon the Billerica Board of Selectmen so trucks from UPS couldn't turn onto Route 129. Alpine Road was also blocked. Their reason was that the road was flooded. We have met face to face with them and hired special counsel. He asked Mr. Lynch for his report.

Mr. Lynch said that Brick Kiln Road was in very bad shape, a culvert has collapsed and there are beaver dams in the East Chelmsford Water District. The water level is 1 - 1 1/2 feet over the road and we were notified by Billerica and UPS that the road had been closed. We are working with Billerica to have the beavers removed but are having trouble getting trappers to come out. We are fighting with the State because they won't allow the dams to be removed. A short term temporary fix would be to fix a portion of the road and we are looking for a temporary bridge such as used by the military. We've asked Billerica to remove the blockades at Brick Kiln Road and Alpine Street. We weren't notified first and they should re-open Alpine Street. When UPS was issued a Special Permit 13 years ago they agreed not to turn left when leaving the facility. Our concern is with public safety - police, fire, emergency vehicles and school buses. We may have to go to court and seek an injunction.

Mr. Lawlor added that we've all spoken with their Board face to face and have told them that we want: Brick Kiln Road passable ASAP; truck traffic not going through Chelmsford residential areas; and take care of our public safety concerns. Ms. Gates said that we are taking proper action through the courts. Mr. Dalton said that we didn't find out about the road closing until after the fact. Mr. Eliopoulos said that we have spoken with members of the Billerica Board and told them this is unacceptable. Dr. Weisfeldt said he reiterates what the others have said.

George Solomonides, 77 Brick Kiln Road, said he has been there for 4 months and is appalled at how long the road has been in deplorable condition. It is totally inexcusable and the road should have been blocked off since it is totally dangerous. Billerica says it will take 6 -12 months to get the permits and started using Alpine Street, which is an accident waiting to happen.

Ms. Gates said everyone needs to understand that the Town of Chelmsford can't go in and repair a road that is in the Town of Billerica, not Chelmsford.

Mr. Dalton said that this problem has not just arisen, that it has been an ongoing problem and not an emergency.

Gary Frascarelli, 105 Carlisle Street, said that UPS can't make the right hand turn. It is arrogant of the Billerica Town Manager and Billerica residents - we don't cause

problems for Billerica. Their residents are removing the portable barriers, going through and then replacing the barriers. There are jersey barriers on the Gorham Street. Brick Kiln Road is not wide enough and can't fit two trucks or buses at the same time. It makes the LRTA bus 25 minutes late and the school buses are also late. The Billerica/Chelmsford Post Office sorting facility will also be getting the mail out later. The Brick Kiln Road traffic count is very high and there is a solid line of vans in the morning and the drivers speed. He has talked to the UPS officials and a former Billerica Selectman said Billerica won't fix the road because it is may not be a legal road.
Mr. Frascarelli said there was an accident there two years ago and the Billerica Police had to have details there for UPS. He wants to have Billerica re-open Alpine Street and maybe we can share road space. You can't walk down the road without going through water.
We had cruisers out there today to enforce the speed limits.

Noel Heinrich, 14 Wagontrail Road, said he is looking for clarification of the Sewer Commission policy. People in areas with grinder pumps are not looking for anything from the Town of Chelmsford and will pay betterment fees and connection fees. He's been quoted as saying that we want gravity feed like everyone else. The difference between gravity feed and grinder pumps is $46,000.

Mr. Lawlor then said we will take Longview Drive flooding problem out of order. Mr. Eliopoulos said he met with the residents 10 days ago and spoke to Jim Pearson after the last meeting. The Town did work there 5 or 6 months ago but it didn't solve the problem. He wants us as a Board to ask the Town Manager to work with Mr. Pearson for some immediate relief from the problem.
Mr. Lawlor said the water flows from Westford Street over onto Locke and down Garland and eventually to Longview. The storm drain is across from the Chiungoses and is a whirlpool. with a clear smell of septage and sewerage. There is a large sinkhole on the other side, and Mr. Pearson has said the pipe is of inadequate size.
Mr. Lynch said he had not been aware of the situation until 10 days ago and he gave an update of what we've done. The flooding is still continuing and we need to do drainage calculations. This is an old concrete line and vegetation is leaking its way into it. We need to replace it with plastic pipe. We can do some type of sandbagging and blow out the existing line.
Mr. Eliopoulos said when we have prepared the solution he would like to meet with Mr. Pearson and also a rep from the neighborhood. Mr. Lynch said that Michelle Sperry is getting a package together for him and they will work in Mr. Eliopoulos' direction.
Ms. Gates asked if the leaky septage will be addressed and Mr. Lynch said yes, there is a high water table in that area and we'll look into that. David Sperry said he would like to work with the Town in solving the problem, to make it safe for our children and wants to see the engineering plan. He wants it fixed, not patched. Mr. Lawlor said that a by- product of the problem is that there is icing on top of Longview Drive.
Duke Chiungos, 5 Longview Drive, said we have been at this for 20 years, that it is an ongoing problem. He thinks the pipe is totally collapsed. The residents shouldn't

have to take care of the problem and we're hoping they'll get to the crux of the matter. There are permits to build two more houses up there and they're going into the Wetlands. Let's hop we can solve it once and for all. All the neighbors are very supportive.

Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve the minutes of December 15, Reg. and Ex.

Under Town Manager Reports. Mr. Lynch said we have already discussed Brick Kiln Road and Longview Drive. He said we have received the MIIA award for loss control and all the credit goes to Jeanne Parziale.
Mr. Lynch went over the 6 month financial figures, and after 6 months of FY98 we have received 52.7% of the year's revenue. Taxes are at 51%, offset receipts 46% and State reimbursements 50%. Local receipts are 40% which is pretty normal for the first half of the year.

Under expenditures we have expended 42% of what was budgeted but many school and DPW expenses come in the last half of the Fiscal year.

Mr. Lawlor asked that the BOS review this information and go over it with the Auditors when we meet with them. Mr. Lynch added that he is very pleased with the hotel/motel tax.
Dr. Weisfeldt asked about the $200,000 for the Tully Forum and Mr. Lynch said this is an expenditure fund and we are continuing to push forward with the legislation.

Joseph Gleason, Bell Atlantic Right of Way Agent, asked the Board to delay the York Avenue petition until Feb. 9th and presented the Board with a petition to place one pole on Eighth Avenue to service a new home. DPW Director Pearson recommends this petition.
Motion by Mr. Dalton seconded by Mr. Eliopoulos, unan. to approve the placement of this pole.

The Board had three applications for One-day Alcoholic Beverages Permits:
1. St. Vartanantz Church for Feb. 21 - 7 pm to 12 am;
2. St. John's Church for Feb. 14 - 8 pm - 11 pm; and
3. St. John's Church for March 14 - 7:30 pm - 11:30 pm.

Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve these three 1-day licenses.

Under Town Manager Appointments, Mr. Lynch said he is appointing Anne Dodd, of Mont Vernon, NH as Clerk of the Works for the Library and Center School. Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan, to approve this appointment, saying it makes sense to have one person oversee both projects. Dr. Weisfeldt said the Center School Building Committee approves this appointment and Ms. Gates said the Library staff is very pleased with Ms. Dodd.

Mr. Lynch said there is a vacancy on the Board of Appeals and he is appointing

John Coppinger, 20 Ansie Road, an alternate to the Board, as a permanent member of the Board of Appeals. Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this appointment.

Under Contract Awards, Mr. Lynch has awarded the pickup truck for the Parks Division to Colony Ford, the low qualified bidder for $28,753 as recommended by Marian Currier and Jim Pearson. This is a 1997 model with the specs we need, and the 1999 model will not be ready for a while. He said that depreciation doesn't matter because we don 't trade them in.
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this award.

Mr. Lynch said that he has awarded the design of the police station expansion to Kaestle Boos, Cambridge, MA in the amount of $35,000 which was approved at Town Meeting. They have had extensive experience working with police stations. Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this bid award. Mr. Lawlor will appoint a liaison from the BOS at the next meeting.

Mr. Lynch then reported on grinder pump maintenance. He said that the BOS met with the Sewer Commission on Jan. 20 and the Sewer Comm. has a new policy. They will furnish, install and coordinate, and the residents will have to pay the betterment fee. He asked what will the Town do re post installation maintenance, and does the BOS have any additional information they want him to provide?
Ms. Gates said she would look for a way to incorporate the cost into all sewer users bills and would like to see the cost for other types of pumps. She doesn't know how it will affect billing - when the DPW Director sets sewer rates, the cost of maintaining the pumps will be paid by all users.
Mr. Eliopoulos said he wants to see information on the average lifespan of pumps, what will be the cost to the Town to set up an emergency response system if the power is out more than 24 hours, and the cost or replacing.
Dr. Weisfeldt asked where can parts be obtained and how fast can we replace the motors.
Mr. Dalton asked the Town Manager to get in touch with the Sewer Commission to get these answers.
Mr. Eliopoulos asked if we could hire one company for a group discount to buy the pumps and a maintenance contract.
Dr. Weisfeldt asked what would the cost be to the individual homeowner if they called.
Mr. Lawlor asked Mr. Lynch to see historical experiences with communities that have had grinder pumps for a while - what kind of things are most likely to fail. Dr. Weisfeldt asked if we are talking grinder pump failures or hook-up failures, too. Ms. Gates wants to find out the average distance between the pump itself and the house. Mr. Lawlor said when we have this data the BOS will vote on it, and Mr. Lynch said he will try to get it done by Feb. 9th.

Aileen McCarthy, 37 Smith Street, asked why did they cut the warranty period on the pumps from 5 years to 2, and she think's it's unacceptable. She wants to hear a second opinion on how to get the gravity system to work, and asked how many grinder pumps on Smith Street.

Mr. Lawlor told her the BOS has no authority over what type of system the Sewer Commission installs in any individual home, or on any street. All we have to determine is what we will pay for maintenance. The Sewer Commission can re-visit their plan any time they want.
Mr. Dalton told Ms. McCarthy she should call the Sewer Commission and ask Mr. Emerson to come out and see if they could put gravity feed in that end of the street.
Ms. Gates asked her to please understand that we have no control over sewer construction, we can only deal with maintenance.

Mr. Lawlor asked for BOS reports, and Dr. Weisfeldt said he had none.

Ms. Gates said we should stick with the MediaOne issue and Mr. Lynch said they have contacted him re phone reports and we will try to set up a hearing. He has also been in touch with Peter Epstein. Ms. Gates said that a company called RCN will look at communities outside the Boston Edison District if we ask them to.

Mr. Dalton said he wants classification information and Mr. Lynch said it will be in the general budget presentation.

Mr. Eliopoulos said he had attended a seminar at the MMA conference on de-regulation of utilities and he thinks we need a work session on it. He will share the information with Mr. Lynch. Mr. Lynch said there is the idea of aggregation and we are also looking at the lumping approach similar to MIIA. Mr. Eliopoulos said our by-laws don't provide for de-regulation and we need to have some say in where they go.
Mr. Eliopoulos said that he had talked to Bob Morse on the Planning Board re an old BOS policy not to make any traffic improvements to Golden Cove Road. He wants to void the old policy tonight so the Planning Board can have a study done.
Mr. Lynch said the BOS at the time Phase 3 of the Route 129 Corridor was being planned decided there should be no improvements beyond Riverneck Road. An appropriate BOS policy would be that the BOS will consider all traffic options on a case by case policy.
Mr. Lawlor asked the Town Manager to write a letter for his signature to say that the BOS has no policy to impair or impede any traffic study on any Town road.

Mr. Lawlor said that the MMA meeting is an annual meeting and the BOS has a great attendance record and the meeting is an excellent source of ideas. Things he would like looked into include:
1. steamheating in schools and municipal buildings with small co-generational facilities. He doesn't know if distance would make this not feasible.
2. year 2000 issues re Town data processing equipment - we should be testing the programs now in place;
3. Environmental management and maintenance program - the Lowell wastewater treatment plant is in a pilot program with the EPA using environmental protocols to save money - should we as a Town pursue something like this.

Mr. Dalton noted that Housing Authority Director David Hedison had written to

the Board about a problem and Mr. Lynch explained that units built under the Housing Opportunity program were typically condos, with a certain number to be reserved as affordable housing and we don't want these units going off line. We will ask Mr. Hedison to attend a meeting on either Feb. 9 or 23 to explain the process for public housing.

Dr. Weisfeldt said he attended the MMA crisis management seminar and hopes we have a plan in place. Mr. lynch said we have an Emergency Management System. Mr. Eliopoulos said that we spent a lot of time this weekend talking about Brick Kiln Road and the situation is not acceptable and is irresponsible.

Dr. Weisfeldt said he respects the Billerica BOS for caring about their people, even though we're upset with the way they did it.

The Board welcomed Jennifer Reed, the new reporter from the Lowell Sun.

At 9:00 p.m. motion by Mr. Dalton, seconded by Mr. Eliopoulos, to go into Executive Session to discuss pending litigation with Town Counsel. Roll Call vote was as follows: WFD-Aye; PME-Aye; SGW-aye; SJG-Aye and PVL-Aye.

For the Board of Selectmen, by

Judith E. Carter

town Clerk

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1998 MAR -3 PM 3:43
TOWN OF CHELMSFORD
MARY JO GRIFFIN
TOWN CLERK

Regular meeting of the Board of Selectmen held Monday, February 9, 1998. Members present were: Peter V. Lawlor, William F. Dalton, Philip M. Eliopoulos, Stuart G. Weisfeldt and Susan J. Gates. Town Manager Bernard Lynch was also present.

Chairman Lawlor opened the meeting and congratulated Peggy Dunn for an awesome Winterfest Weekend.

Mr. Dalton read a Proclamation proclaiming the Week of February 8 - February 14 as Marc Pelchat week in the Town of Chelmsford. Marc is a member of the U.S. Olympic speedskating team and will be competing in Nagana, Japan this week. He added that due to donations from various Town unions and organizations Marc's family is in Japan also.

Mr. Lawlor introduced Julie Lefebvre who will be taking the place of the BOS Adm. Asst. Judy Carter when she retires in March.

George Simonian was present to invite the BOS to the CHS Hall of Fame induction on March 21st. Mr. Simonian read the list of the 9 alumni/deans being inducted this year. The Golden Lion Award is going to the Chelmsford Rotary Club.

Peggy Dunn spoke to the Board, saying that Winterfest was extremely successful and they sold every button ordered. She thanked all the Town depts., especially the DPW, Police Dept. and Ted Godfroy. The Friends of the Library will be sponsoring the Winterfest Ball next year and are already making plans. At Roberts Field the ice was covered with snow, since the previously fallen snow had not been removed. This only has to be done 3 months out of the year and she asked for more picnic tables and benches.
Ms. Dunn continued that the Old Town Hall has been beautifully restored but there is a window at the back of the stage that needs to be filled with indoor shutters. Mary Jo Griffin said she will speak to the Nashoba students about installing them.
Ms. Dunn said we also need a backdrop curtain that can be rolled up and down, and will ask for donations.
Mr. Lawlor commended Boy Scout Troop 77 at Roberts Field and Troop 75 at the Country Club, as well as the Girl Scouts and Brownies.

Mr. Lawlor said he wants to take the Grinder Pump report out of order, and gave the background of the issue: residents would rather be on a gravity feed sewer system than grinder pumps and if on grinder pumps, they want the Town to pick up the maintenance costs. The Sewer Commission announced a change in their policy and are changing their offer to residents on grinder pumps. The Board of Selectmen had to wait to decide on a maintenance policy until we got more information.
We now have a report from the Town Manager dated Feb. 6, 1998 and he asked Mr. Lynch to summarize.

Mr. Lynch said the BOS asked him to address a number of issues and he thinks he

has addressed them all:

1. Cost and Lifespan - the initial lifespan of a grinder pump is 8 - 10 years, and it is app. $600 to replace the entire core unit + $200 to install, which would make the pump last 15+ years. It would cost $30 - $130 per unit for maintenance and since the Town would opt for a very active maintenance program it would cost app. $26,000 per year to maintain 200 pumps throughout the Town. This would increase the average bill per year for all sewer takers to $1.30 to $3.60 per year. The homeowners could get a service contract for $120 - $150 per year. If the Town maintains them, how do we maintain other types of pumps on private property - if we maintained the 2000 private units it would add app. 15% per year to the average sewer bill.
2. The other issue is equity re the arrangement for grinder pump owners - they have an initial $1300 - $1500 savings, which no other homeowner gets This would help the homeowner to maintain the pump for many years. **Mr. Lynch is recommending that the Town not adopt the policy of Town- maintained grinder pumps.**

Ms. Gates said setting aside condos that had to have treatment facilities why would single families opt to have grinder pumps? did the Sewer Commission say they have to be connected? Mr. Lynch said yes, that the physical location requires it.
Ms. Gates asked about the liability issue - if a pump station that serves a whole neighborhood and blocks up to a house - are we liable - do we take care of it? Mr. Lynch said yes, and Ms. Gates asked how do we identify blockage? Mr. Lynch said we'd have to do the necessary testing and if the damage is on private property we wouldn't be liable - to the homeowners' pump, i.e. Mr. Lynch added that if we were responsible for maintenance it would be hard to tell who's liable, and Ms. Gates said so the liability could shift to the homeowner if the pump is broken, and Mr. Lynch said yes, but grinder pumps have a very good track record.

Mr. Dalton asked if the $26,000 include the manpower to provide maintenance service - yes, and asked Mr. Pearson if there is a blockage would it block more than one? Mr. Pearson said not necessarily. **He asked for a breakdown of what's going to happen when the Sewer Commission starts to install and Mr. Lynch went through the steps.** With their new policy they will supply the pump and installation from the home to the pump and the pump to the street, which is a considerable savings for the homeowner.
Dr. Weisfeldt asked if a homeowner has a gravity system and a pipe is blocked who pays - and Mr. Lynch said the homeowner would have to pay the cost, from the house to the road.
Mr. Eliopoulos asked about insurance if we maintain them and there is backup and Mr. Lynch said our new insurance carrier will cover, but not residential units on private property.

Mr. Lawlor said the issue is that the personal and private inclination of each Board member is that we would be comfortable to have the Town maintain their pumps. However, hearing all the information is counterbalance to our inclination - there was a dark morass of what the cost would be. He asked should the expense be passed

on to all of us and said No, there are many inequities. He recommends that the Town decide not to maintain.
Mr. Dalton said that at first we didn't pick up trash in condos and now do. He is afraid that the cost will escalate like that with the other 2,000 units in Town, that we would be opening a Pandora's box.

Motion by Mr. Lawlor, seconded by Mr. Eliopoulos, that the BOS as a policy elect to not maintain grinder pumps installed by the Sewer Commission.

Mr. Eliopoulos said that given the new Sewer Commission policy he thinks we shouldn't be maintaining. We are giving them a cost savings and can't install private pumps and maintain them but not businesses, condos, etc. Liability is an important issue but we're talking $26,000 + an unknown figure, and we as a Board are trying to keep taxes and sewer rates down. He wants Mr. Pearson to set up an emergency response system with the generators and the Town could help negotiate maintenance schedules with one maintenance company.
Dr. Weisfeldt said he agrees with Mr. Eliopoulos, that the major concern is a power outage and he wants to mandate a generator system.

Ms. Gates said she still believes it's not just money - her concept of fairness is different than other peoples. We could limit the cost and installation to those pumps that the Sewer Commission does. Liability is a "Red Herring" - when we run a Town we have to expect the liability. She believes that homeowners should maintain the electricity in their homes and from the house to the grinder pump. If the problem is between the house and the main and the pump to the main - she will not support the motion but will support giving help to homeowners. Mr. Dalton said he could support what Ms. Gates says if we could get cost information from Mr. Pearson. Mr. Lynch added that there is little impact from the house to the pump - not more than 20 feet.

Vote on Mr. Lawlor's motion for the Town to not maintain grinder pumps was 4 in favor, 1 opposed (SJG).

Motion by Mr. Eliopoulos that the Town set up an emergency response system whereby the Sewer Commission has generators and vehicles on hand to restore power to homes after a long outage, and that the Town work on obtaining a single quote for maintenance from companies that are reputable. Mr. Lynch said we have the equipment in place but he wants to check the wording with Mr. Pearson, that our major pump stations are our first priority. Ms. Gates asked Mr. Eliopoulos to think about what the policy is to say and we will vote later. She asked him to develop two policies. Mr. Eliopoulos withdrew his motion and will draft up both policies.

Joseph Gleason, Bell Atlantic, was present with a joint pole petition for York Avenue, actually the re-location of a pole on York Avenue, to accommodate for the apparatus turnaround
Theresa McCall, 9 York Avenue, spoke to the BOS, saying that she's the only home that is serviced by that pole and if the pole is being moved back from where it is now a trench will have to be dug, and at whose expense. She never was able to

reach anyone at Mass. Electric.
Mr. Gleason told Ms. McCall that it is his understanding that the cost to change the trench is a responsibility of the contractor, not Bell Atlantic.
Mr. Lawlor said to DPW Director Pearson that her trench may have to be moved and Mr. Pearson said that traditionally utility companies don't pay these costs, that typically the one who petitions to have the pole moved pays, and he doesn't feel the abutter should have to bear the cost.
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve the petition subject to the expense of the relocation of any abutter's service not be borne by the abutter. Ms. McCall also asked about a streetlight.
Mr. Pearson said that the Planning Board is holding a bond and if the developer wants the pole moved the relocation was subject to Planning Board approval.

Auditors Brown & Barrett, Town Accountant Jean Sullivan and members of the School and Finance Committees were present to discuss the FY97 audit. Mr. Lawlor gave the background of the process, saying that each year we are given a report from outside auditors, and Brown & Barrett have been doing our audit since 1986. The audit contains the Management letter, Financial Report and General Purpose Financial Statements.
Mr. Lawlor thanked Angie Taranto and Wendy Marcks for serving on the School Committee, since neither is seeking re-election.

Bob Brown said that they are a firm of 3 CPAs and the main report is the General Purpose Financial Statement and referenced p. 7. He said that it was a very good fiscal year. We bonded over $10,000,000 to fund capital expenditures and there wee no overlay deficits. The numbers look very good for FY97, it was a very good audit and went smoothly in all respects.

Steve Barrett said that they worked with both Town and School personnel, that the Town collected 99% of a $30 million tax levy, internal controls are reconciled monthly, which keeps the Town out of trouble. Cash balanced to the penny. They audited the Food Services at the High School and it was off by 43 cents. They looked at material goods - cruisers, etc. and reconciled payrolls. W2's came out perfectly when tested. Mr. Barrett added that the accounting office handled between 30,000 and 35,000 disbursements for the year, and the Tax Collector's office handled $70 million in tax monies.
Mr. Barrett said that Chelmsford is the largest account their firm has and we have one of the best financial teams he knows of.

Mr. Barrett then went over the management letter, saying that it contains items that came to their attention that are serious enough that they want to bring them to the Board's attention to be corrected. He went over the various items: 1. Community Ed Revolving Accounts - they want to see new computerized records; 2. Student Activity Accounts - State law has changed on this and the FinCom and School Committee are working on this. 3. Accounting/Sewer Departments - Town has not recorded the total of sewer betterments which are apportioned and due in future years. They are reviewing this with the appropriate departments. 4. School Dept. - documentation of 30B Procurement compliance. 5. School Lunch

Program - deficit balance due to a change in food process and an increase in charges.

Mr. Barrett said that Chelmsford is a well managed Town, and they audit 22 towns, or about 10% of the Towns in the State.

Mr. Lawlor asked School Committee Chairman Taranto if he wanted to respond, and Mr. Taranto asked Business Manager Bob Cruickshank to do so.
1. Mr. Cruickshank said that we have developed a nice software package re third party billing and many types of programs but are having problems getting it installed.
2. Mr. Cruickshank said he has talked with the Town Accountant and Finance Director and will probably transfer these accounts over at the end of the Fiscal Year.
FinCom member Chuck Piper asked what's the number of accounts and Bob said each school has a bank account to pay for bus trips, etc. at the elementary level; clubs, yearbooks, etc. at the Middle Schools; and at the High School proms, class rings, yearbooks, over 40 separate ledgers for over 40 clubs and $500-$600,000 in all. The accounts are under the names of the various schools and it is students' money only. The principals sign these checks now but new State law is turning these accounts over to the Finance Department.
4. Bob said he failed on a bid for cafeteria tables - he had $30,000 budgeted but all bid $34K and when he did a re-bid he failed to include a document in the RFP.
5. The deficit in the school lunch program is relative to paper products - there was a change in price and also in food products. They have installed juice and pastry machines at the High School and they are bringing in $600 per day.

FinCom member Clare Jeannotte had technical questions for the auditors re accrual for compensated averages, and also asked how do we know what to pay retirees. Mr. Barrett said we have a system in place, and Mr. Lynch said we have very good records re cash out. Mr. Barrett said that we're a step ahead of most other towns.

FinCom member Dwight Hayward questioned #9 on the Summary of Audit Results - that the Town was not determined to be a low-risk auditee. Bob Brown told him that 349 out of 351 Towns are not low risks but we don't mean that Chelmsford is a high risk auditee. Mr. Barrett added that there are no findings on federal grants.

Mr. Lawlor questioned P. 7, noting that we consistently end up with Free Cash - do we continue to overbudget Town costs that we should be better able to anticipate? Mr. Brown said that the State doesn't allow us to budget over last year's revenue, and that with a total budget of $57 mil returning $1 mil may not be that big a number.
Mr. Eliopoulos asked Mr. Lynch about the Sewer problem and Mr. Lynch said it is a software issue and Fred Mansfield is working with the Sewer Division on it.
Dr. Weisfeldt asked if our School Dept. is unique in the lunch program deficit and Bob Brown said it is unusual to see a deficit but it happened right at the end of the year. Mr. Barrett added that there are tight internal controls so it is not really a problem.
Mr. Dalton asked about Free Cash - we gave $750,000 back to the taxpayers and over

the last 4 years have had between $1.2 to $2.8 mil in Free Cash. Mr. Brown explained debt and interest and bonding. Mr. Lynch said that every year there is a combination of different factors and he would rather err on the side of caution, and therefore we budget accordingly. He said that we may have some type of seminar for the town and the school re 30B. He added that we've made progress in internal controls and credit goes to Jean Sullivan and Fred Mansfield.

Mr. Lawlor asked to defer approval of the minutes until the next meeting.

Under Town Manager Reports, Mr. Lynch reported that:
1. Brick Kiln Road - we are working closely with Billerica. Our DPWs, Police and Administrative Departments work well together. We will have a temporary solution in the next few days on the flooding problem - raising the road and putting in a new culvert. It won't be paved now but used by UPS trucks.
We are working with Chelmsford property owners on the beaver dams and Mr. Lynch said that Ms. Gates put a good meeting together last week re long term beaver control.
2. The Forum - we are working with Rep. Cleven and Sen. Fargo. New legislation has been drafted - we'd lease from the State for 40 years and make it available to U. Mass Lowell.
3. The Media One issue - the report speaks for itself and we can discuss it at a later date. They've done a busy study report and Bob Carr gave him a copy today. He has asked for it on a monthly basis, and noted that we were one of the first towns to do an evaluation meeting. Mr. Lawlor said he gives credit to Sel. Gates for her follow-through on this issue. Mr. Lynch added that he and Atty. Peter Epstein are looking at alternative cable carriers.

Under Contract Awards Mr. Lynch said that he has awarded the DPW front mower to Padula Bros.
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this award.
Mr. Dalton said that the BOS voted a policy on reviewing contracts and why haven't we received notice that bids were in and Mr. Lynch was going to award. Mr. Lynch said he thought it was proposals, more than bids, that the BOS wanted to review. He hasn't notified the BOS on ordinary bid awards, just proposals and will check the policy. He has delayed sometimes at a department's expense so the BOS can review. He can delay the codification contract award if the BOS wants but was told to go ahead.
Mr. Lynch said he is going to award the codification contract to General Code of Rochester, NY in an amount not to exceed $14,925. plus yearly updates.
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve this contract award. Ms. Gates thanked the Board and Mr. Lynch, saying that she's wanted this for 3 years. Mr. Lawlor commented that this was one of our goals. Mr. Lynch added that we will have a draft policy book for a March meeting.

Under Unscheduled Business Mr. Lynch read the list of Deputy Constables that Constable Bill Spence is recommending be appointed.
Motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to approve appointments of the Deputy Constables as listed.

Under BOS Reports, Ms. Gates reported that the Cable Work Director for Chelmsford Techmedia had an Open House during Winterfest. They wish more people would come in to produce shows.
Dr. Weisfeldt had no reports.
Mr. Dalton said he received a copy of a letter to the Cemetery Commission saying that the Town will be recognized in a mortuary journal.
He asked if Mr. Lynch has talked to Mr. Pearson re drainage on Davis Road and he said they are looking at alternatives.
Ms. Gates said that Sewer Commission did a drainage study years ago and asked if the DPW uses this. Mr. Lynch said yes, that the Sewer Commission funded the study and Mr. Pearson uses it.
Mr. Dalton said that an employee at Dunkin' Donuts in Tyngsboro told him that her kids have to walk out in the street on Middlesex Street because the sidewalks are not being plowed. Mr. Lynch will look into this.

Mr. Lawlor welcomed Jesse Floyd, editor of the Independent.

Mr. Eliopoulos reported that the FinCom is meeting weekly and meets with every department with a budget in excess of $100,000.

As a Public Service Announcement, most races in Town are uncontested, especially precinct reps, and people in Town are encouraged to run. All announced BOS candidates will be invited to speak at the March 2nd meeting.

At 9:35 pm motion by Mr. Dalton, seconded by Mr. Eliopoulos, unan. to adjourn to Executive Session for the purpose of discussing real property. Roll Call vote was as follows: WFD-Aye; PME-Aye; SGW-Aye; SJG-Aye and PVL-Aye.

For the Board of Selectmen, by

Judith E. Carter

Clerk

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1998 MAR 31 AM 11:09
TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
March 2, 1998

A regular meeting of the Board of Selectmen was held on March 2, 1998, in Room 204 of the Town Offices. The Board members present at the meeting were: Peter V. Lawlor, William F. Dalton, Philip M. Eliopoulos, Stuart G. Weisfeldt and Susan J. Gates. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Administrative Assistant Judy Carter and Julie Lefebvre were also present.

PUBLIC SERVICE ANNOUNCEMENTS

The three candidates for election to the Board of Selectmen gave brief presentations. The candidates included Mike McCall, Thomas Moran and Susan Gates, who is running for reelection.

OPEN SESSION

South Row School as a Voting Location

School Committee member Anthony Volpe of 144 Warren Avenue voiced his concern about the Town using South Row School as a voting location. He believes that it is unfair to add another disruption to a school already stressed by overcrowding. In addition, he said that the school is not in the center of town and that there isn't enough parking. He proposed using the Center School as an alternative.

B. Lynch said that at the time using South Row as a voting location was discussed, School Principal Jeff Murray thought that the plan was workable. Although other options were considered at the time, South Row seemed to be the best choice. For example, in order to use the Center School as a voting location, phone lines would have to be installed as well as portable heating units. There is currently no custodian at the facility. Because Center School would not be available for voting while it is being renovated, residents from the two precincts would have to be notified of yet another voting location for the September primaries. And most significant of all, Center School does not meet ADA specifications.

Mr. Volpe then said that the activity that would arise at South Row during the Town Election made him concerned for the children's safety.

The American Flag

John Fisher, 10 Craig Road, came to the meeting to say that the American flag had not been on the staff at the Town Offices for 90 days. B. Lynch said that he would take care of the problem

right away. It was also mentioned that the Town would examine the need for additional lighting in the vicinity of the pole.

SCHEDULED BUSINESS

Country Club Too Extended Hours

David Cunha, representing Country Club, Too, came to the meeting to request that the club's license be amended to extend the club's hours of operation from the current 11:00 a.m.-1:00 a.m. schedule to 9:00 a.m.-2:00 a.m., Sunday through Saturday. Reasons cited for this request included missing revenue caused by people leaving the club early to continue their evening at another facility and the inflexibility 1:00 a.m. closings present for the club manager in scheduling pool tournaments, which run for approximately six hours.

Mr. Cunha said that other clubs in the area that have pool tables have 2:00 a.m. closing times. In addition, Mr. Cunha stressed that the club has not had any problems and that it is well supervised, a factor confirmed by several Selectmen. Armand Caron, when consulted prior to the meeting, was not in favor of extending the 1:00 a.m. closing time.

The B.O.S. unanimously agreed to the following hours of operation: 9:00 a.m.-1:00 a.m. Sunday through Thursday; 9:00 a.m.-2:00 a.m. Friday and Saturday.

Approval of B.O.S. Meeting Minutes

Minutes to the following meetings were unanimously approved by the B.O.S.:

- January 5, 1998 (Regular and Executive)
- January 26, 1998 (Regular and Executive)
- February 9, 1998 (Regular and Executive)

TOWN MANAGER REPORTS

- Legislation on the Tully Forum is moving forward and is now at the Senate. The legislation should pass within the next few weeks, and the Town should take control of the forum by the middle of April. The legislation provides for a 20-year lease of the facility. Chelmsford would continue to make the forum available to the University of Massachusetts Lowell five times a month and also to other area groups.

- Temporary repairs to Brick Kiln Road by the Town of Billerica have been completed and the road is now open. B. Lynch is working with M.S.P.C.A. to find a long-term solution to the beaver population problem.

- B. Lynch distributed Liquor License Regulations to the B.O.S. for their review. B. Lynch will check with Legal Counsel to determine exactly when these regulations can be adopted by new and existing license holders.

- B. Lynch distributed a B.O.S. Policies Manual to each Selectmen before the meeting. B.O.S. policies, which used to be kept in file folders, were recently compiled into a binder format. The policies date from 1989 through the present. Policies stay in place until amended or rescinded by the B.O.S. B. Lynch said that he would like to have a work session to review the policies. S. Gates asked that the required policies be marked as such.

- B. Lynch said that there are 18 warrant articles for the Annual Town Meeting. Warrant articles will to be voted on at the March 16 B.O.S. meeting.

- B. Lynch gave an update on the FY98 Goals and Initiatives that were set at a work session in July 1997. He said that the goals are moving ahead despite a number of unplanned issues such as Mass. Gravel, Brick Kiln Road and the grinder pump topic.

UNSCHEDULED BUSINESS

Vote to use South Row School Cafeteria as a Polling Location for Precincts 1 and 9

B. Lynch recommended that the South Row School be used as a polling location for Precincts 1 and 9. Although other polling locations were considered, all except South Row were determined to be inadequate. In addition to the reasons discussed during Open Session above, the following arguments in favor of South Row surfaced during further discussion:

- There's not enough parking at the Old Town Hall.

- There's not enough time before Election Day to make Center School handicap accessible.

- If Center School were used for this election, residents of Precincts 1 and 9 would have to be relocated and re-notified for the next election because the building will be under construction.

- Fire stations, such as the East Fire Station mentioned at the meeting, haven't been used in recent years largely because of the burden of trying to heat them during elections.

- S. Gates mentioned that overcrowding is not specific to South Row and that she believes that children learn a valuable lesson by seeing the democratic process firsthand.

Since there was a significant amount of discussion about overcrowding and mention of possible safety risks associated with it, B. Lynch agreed to have an extra detail officer put on duty at South Row on Election Day.

A motion to relocate Precincts 1 and 9 to the South Row School was unanimously approved by the B.O.S.

Hours of Polling

A motion to hold the Annual Town Election polling hours from 7:00 a.m.-8:00 p.m. was unanimously approved by the B.O.S.

Ballot Question

B. Lynch said that the Charter Amendment that was approved at Town Meeting last May had been reviewed by the Attorney General, who had no problems with it. The procedure was to now put the question on the ballot for the Town Election.

A motion to put the question on the ballot was unanimously approved by the B.O.S.

SELECTMEN REPORTS/REFERRALS

- W. Dalton said that a resident had called him to inquire about a fence that is blocking Twelfth Avenue. W. Dalton asked if the Fire Department has access to this area. B. Lynch said that he would find out more about the situation, including whether or not the Fire Department has access.

- P. Lawlor proposed an amendment to the Grinder Pump Policy that P. Eliopoulos had written so that the emergency service would be open to anyone who has a grinder pump and not just to those people whose grinder pumps where installed by the Town. He also suggested adding language to the policy that would restrict emergency service to single-family residences. A motion to amend the grinder pump policy as suggested by P. Lawlor was unanimously approved by the B.O.S.

- A motion to have the Town via the Town Manager work with residents to find a single service company at a "group rate" for the pumps was unanimously approved by the B.O.S.

- P. Eliopoulos also asked that a letter from the B.O.S. to the Sewer Commission be prepared requesting that the Commission look into negotiating extended warranties on the grinder pumps that were purchased by the Town.

- Because some of the roads that were sewered last year became severely damaged over the winter, P. Lawlor asked that the Town work with the Sewer Commission to make contractors improve the way they resurface the roadways after opening them up to install sewer lines. B. Lynch said that the Town does not pick up the tab for these types of repairs.

FAREWELL TO JUDY CARTER

A thank you in the form of flowers, a Certificate of Appreciation, and kind words was given to Judy Carter for 22 years of service to the Town, most of which were dedicated to providing administrative support to twenty Selectmen, four Executive Secretaries and the current Town Manager.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

T.C.

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1998 MAY 13 PM 3:43
TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
March 16, 1998

A regular meeting of the Board of Selectmen was held on March 16, 1998, in Room 204 of the Town Offices. The Board members present at the meeting were: Peter V. Lawlor, William F. Dalton, Philip M. Eliopoulos, Stuart G. Weisfeldt and Susan J. Gates. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Julie Lefebvre, Executive Secretary, was present.

Present from the School Committee for the joint appointment to the Nashoba Valley Technical High School Committee was Wendy Marcks, Angelo Taranto, Judith Mallette, Mary Franz and Anthony Volpe. Moderator Dennis McHugh was also present.

PUBLIC SERVICE ANNOUNCEMENTS

William Dalton read a Proclamation in honor of the Chelmsford Scholarship Fund. Richard Jumpp, President of the Chelmsford Scholarship Committee, was present at the meeting to receive the proclamation.

OPEN SESSION

- Evelyn Thoren, Chairman of the Arts and Technology Education Committee, spoke about the Chelmsford Arts and Technology Education Fund. Monies from the fund are used for projects that teachers would like to have for their students but that the education budget does not cover. Applications for funding were sent to all the schools and are due back to the committee by March 31, 1998. Awards will be made the third week in June.

- Jeffrey Stallard from the Historical Commission gave a preliminary presentation on upcoming activities the commission is planning for May, which is Preservation Month. Mr. Stallard said that he would provide updates on Preservation Month activities as they become available.

SCHEDULED BUSINESS

Joint Appointment to Nashoba Valley Technical High School Committee

The joint meeting to appoint one member and one alternate to the Nashoba Valley Technical High School Committee was moderated by Dennis McHugh. Each candidate made a brief presentation. The candidates were as follows:

- Ralph Hulslander
- Walter Toney
- Sharon Shanahan, who was running for re-election as a member
- Samuel Poulten, who was running for re-election as an alternate

Votes by the School Committee and the Board of Selectmen combined were as follows:

- Member seat—Sharon Shanahan (unanimous)

- Alternate seat—Sam Poulten (8 votes); Walter Toney (2 votes)

Public Hearing on the Application of Matt Nicopoulos d/b/a Automax for a Class II Auto Dealer's License

By unanimous approval of the Board of Selectmen, Matt Nicopoulos was granted a Class II Auto Dealer's License.

TOWN MANAGER REPORTS

Reports

- Following the recent groundbreaking, a fence will be going up around the library and construction work will be starting over the next few weeks.

- The Children's House move went relatively well. Having the house moved to make way for the library expansion project not only preserved a historic building but saved the town $20,000-$30,000 in demolition costs.

- A meeting with Peat Marwick has been tentatively scheduled for Tuesday, March 24, at 7:30 p.m. at the Parker School to discuss the final operational review report. B. Lynch said that he would get copies of the final report to the B.O.S. as soon as possible.

- The B.O.S. will be meeting on the Thursday following the election (April 9). At that meeting the B.O.S. will address the bond sale.

- A cost estimate by the architect for the police station project should be ready some time in April, and a presentation is tentatively scheduled for the B.O.S. meeting on April 13. B. Lynch said that he might also be able to provide an update on the center project at that time.

Bids/Contract Awards

- *Bid for Epoxy Flooring System for 7 North Road Fire Station*: The low bidder was Westwood Construction Co., Inc., Boston, Massachusetts, at $12,870. At the request of W. Dalton, B. Lynch will check into the warranty on the floor. A vote on the bid will be postponed till the next B.O.S. meeting on March 30, 1998.

- *Bid for Irrigation Pump System for the Golf Course*: The low bidder was Larchmont Engineering and Irrigation, Inc., Lexington, Massachusetts, at $22,254. The Board of Selectmen unanimously approved the bid.

UNSCHEDULED BUSINESS

Town Meeting Warrants

B. Lynch briefly read through the Annual Spring Town Meeting and the Special Town Meeting warrants. Key points that were discussed are as follows:

- Center School Project: All bids were rejected and the project will go up for bid again. Specifications will be changed to bring the project in at a lower price level. The project will now have to be removed from the Special Town Meeting Warrant.

- Since the Center School Project was the key article on the Special Town Meeting Warrant, B. Lynch recommended including the rest of the Special Town Meeting articles in with the Annual Spring Town Meeting Warrant articles and forgoing the Special Town Meeting at this time.

- In reference to the Zoning Bylaw definition change of "hotel or motel" proposed in the Warrant, P. Eliopoulos asked how the Town would be able to monitor the length of say of hotel/motel guests. B. Lynch said he would check this out with the Planning Board.

- In response to W. Dalton's questions about the Police Station, B. Lynch said that adding onto the existing station was still not entirely out of the question. However, at this time it appears that it would be more cost-effective to build a new one.

- With one exception--the Center School Article—the B.O.S. unanimously approved putting the articles on the Annual Town Meeting Warrant.

Two One-day Liquor Licenses

The B.O.S. unanimously approved granting two one-day liquor licenses for June 6 and May 30 from 7:00 p.m.-12:00 a.m. at the St. Vartanantz Armenian Church.

Appointment to the Board of Registrars

Both Martha Doukszewicz and John Coppinger were nominated.

P. Eliopoulos asked if this appointment was time-sensitive because he thought that the candidates should be given a chance to give a presentation at a B.O.S. meeting. He mentioned that he was initiating a policy to this effect. B. Lynch said that traditionally both the Democratic and Republican Boards nominate and the Board of Selectmen appoints. It was agreed that the appointment was time-sensitive.

Martha Doukszewicz received a unanimous vote by the B.O.S. for appointment to the position of Republican Registrar.

Gay Street

According to B. Lynch, no records were found that indicate that Gay Street was ever officially made a one-way. Chief Armand Caron recommended that the street be officially made a one-way entering from Princeton Street and exiting onto Middlesex Street.

A motion to officially make Gay Street a one way entering from Princeton and exiting onto Middlesex was unanimously approved by the Board of Selectmen.

With reference to removing the truck exclusion sign, W. Dalton said that the decision to make the street a truck exclusion was made in the early 1980s because the street is so narrow that it is difficult for trucks to pass through it in the winter. He asked if the companies located on the street could be exempted from the truck exclusion.

B. Lynch said that the truck exclusion wouldn't affect people with businesses on the street or truck operators making deliveries to those businesses, since you can't prevent either from using the street. He thought the biggest problem would be policing truck activity on the street. B. Lynch said that he would find out more about truck exclusions and offer his recommendations at the next B.O.S. meeting.

SELECTMEN REPORTS/REFERRALS

- P. Eliopoulos expressed his dissatisfaction with the procedure that was being followed by the B.O.S. when making appointments to the various committees. He thought that the selectmen should have more time for questions or to get more information if desired. He distributed a copy of a policy he had drafted to modify the appointment procedure.

- P. Eliopoulos asked B. Lynch to check into availability of grant money being offered by the State for communities that want to acquire conservation or recreation land, improve existing parks, or create new outdoor recreational facilities.

- P. Eliopoulos spoke with the Sewer Commission about warranties on grinder pumps. When the Sewer Commission looked into extending warranties from two to five years, it found that the increase would double the cost of the grinder pumps.

- S. Weisfeldt said that the Town of Chelmsford was far down on the Government's priority list for some 0 percent interest funds for sewer projects in the State. Jack Emerson is working to get us into a better position so that we will receive the money sooner. If he is unable to accomplish this, the sewering project could be delayed.

- In response to questions from W. Dalton, B. Lynch said that he received a memo from Andy Sheehan on 12th Avenue and that he needs to discuss the memo with Andy.

- W. Dalton also asked about a Westford bylaw that prohibits residents from living in automobiles and trailers. B. Lynch said that he would find out more about the bylaw.

- W. Dalton read his draft policy to adopt standard polling hours for local elections. According to this policy, polling hours would consistently be held from 7:00 a.m. to 8:00 p.m., the same time as State and Federal elections. The policy would eliminate the need for the B.O.S. to have to vote on polling hours every time there's a local election.

- S. Gates asked that she be given guidelines as to the Town's proposed solution to the drainage problems so that she will know what to tell people when they call looking for answers.

- S. Gates asked that B. Lynch have the three broken windows at Old Town Hall sealed up to prevent the elements from entering the building.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

T.C.

RECEIVED
1998 MAY 13 PM 3:43
TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
March 30, 1998

A regular meeting of the Board of Selectmen was held on March 30, 1998, in Room 204 of the Town Offices. The Board members present at the meeting were: Peter V. Lawlor, William F. Dalton, Philip M. Eliopoulos, Stuart G. Weisfeldt and Susan J. Gates. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Julie Lefebvre, Executive Secretary, was present.

PUBLIC SERVICE ANNOUNCEMENTS

Arbor Day

William Dalton read a Proclamation in recognition of Arbor Day, which will be celebrated on April 24, 1998. Cathy Hartwig from the Garden Club was at the meeting to receive it.

OPEN SESSION

Freeman Bike Trail

The meeting room was filled to capacity (30+ people) at the beginning of the meeting and up until Open Session ended, when the crowd significantly diminished. The majority of the people at the meeting came to express their dissatisfaction with the Freeman Bike Trail, a State project directed at converting an old railroad track into a bike path.

Richard Anthony, 8 New Fletcher Street, said that a bike path would not be in the best interest of the town. Not only would it be expensive to maintain and police, but it would cause an increased volume of traffic in the town as people from other communities travel along Chelmsford roadways to get to it. R. Anthony further stated that the bike trail would result in environmental damage. He voiced his concern over the impact the bike path would have on the surrounding neighborhood and said that no one has dealt with the abutters to the bike path or with the problems it poses them. For these reasons Mr. Anthony requested that the town hold a public hearing to address the bike path before the State builds it.

Lois Ann Grant of 8 Reid Road said that the abutters were never notified of any meetings on the bike trail. She also expressed her disappointment in the fact that the whole town was permitted to vote on the trail rather than just the abutters.

S. Gates said that she had already discussed with the Town Manager the idea of having a bike trail meeting with the surrounding neighborhoods and that he would be the one to set this up. She emphasized that there have been many meetings on the bike trail project, which has been going on for over ten years.

B. Lynch said he realizes that the neighborhoods want more input regarding this project. He said that when the town has had similar projects in the past, such as the 495 rest area, a steering committees was formed. He said that he would schedule some meetings in mid-April. Although all would be welcome to attend the initial meeting, it would be best for the large neighborhood groups to break down into smaller steering committees for subsequent meetings.

Bob Coltman, 14 Westview Avenue, said that the bike trail was a "mistake waiting to happen" and that the selectmen have a pending "disaster on their hands." He expressed apprehension about steering committees, saying that they are sometimes set up with individuals who are stacked against the very group they are supposedly representing.

Dick Edgar, Blaisdell Road, questioned the need for neighborhood meetings if the bike trail was already the "done deal" that it appeared to be. He was also concerned about the construction materials used on the bike path. He said that asphalt was unacceptable and that the smooth surface would induce high-speed biking and skateboarding, both of which would be dangerous to the walkers.

B. Lynch said that the bike trail may happen just as it is or with a few modifications. As with any major project, there is always going to be something that someone doesn't like. The best solution would be for the town and the neighborhood groups to come up with ideas that would benefit both parties. The ability to compromise is key.

P. Lawlor, who grew up near the train tracks and remembers the earsplitting sound of trains passing by, said that he was wholly committed to the project.

SCHEDULED BUSINESS

Cheryl Perkins, McCarthy School Recess Area

Cheryl Perkins, president of the PTO at the McCarthy School, came to talk about the McCarthy School recess area renovations, which are expected to begin in late Spring. The PTO is sponsoring a personalized brick sale to help fund the project.

Barbara Scavezze—Clean-up Deadline and T-shirts

- The State Department of Environmental Affairs has given the Chelmsford a grade of "B" for the amount of items that are being recycled
- The State is moving toward mandatory recycling.
- The town-wide cleanup is scheduled for May 2 and will be followed by a cookout. Registration forms for the cleanup must be filled out by Friday, April 3. All volunteers will receive a T-shirt.

Gerald Hardy—"The March of the Children's Guard"

Gerald Hardy, President of the Chelmsford Community Band, explained the origin of "The March of the Children's Guard," which was composed by Daniel Bucavich. He said that the band plays it frequently, especially when performing in other communities. He asked that the B.O.S. adopt the march as the official town score.

A motion to adopt "The March of the Children's Guard" as the official town march was unanimously approved by the Board of Selectmen.

TOWN MANAGER REPORTS

Reports

- The town received a $300,000 grant to supplement the cost of the police station. It was the second time the town had applied for this funding. The town will also be applying for additional funding.

- The town has been upgraded to an Aa3 rating by Moody's Investors Service, a municipal credit research firm. The upgrade reflects a solid financial position resulting, in large part, from conservative budgeting and substantial reserves.

Bids/Contract Awards

- *Bid for Epoxy Flooring System for 7 North Road Fire Station*: The low bidder was Westwood Construction Co., Inc., Boston, Massachusetts, at $12,870. In response to W. Dalton's questions on warranty at the previous meeting, the selectmen were given a copy of a letter dated March 5, 1998, explaining the warranty on the floor.

  A motion to approve the Westwood Construction Co., Inc., Epoxy Flooring bid for $12,870 was unanimously approved by the Board of Selectmen.

UNSCHEDULED BUSINESS

Vote on Election Day Polling Hours Policy

A vote on a new policy written by W. Dalton to hold local elections during the same hours that State and Federal elections are held (7:00 a.m.-8:00 p.m.) was unanimously approved by the Board of Selectmen.

Vote on Appointment Policy

P. Lawlor suggested that an amendment be made to the Appointment Policy written by P. Eliopoulos. The proposed amendment would allow the Board to vote on an appointment even if the Board fails to adhere to the policy.

The Appointment Policy as amended by P. Lawlor was unanimously approved by the Board of Selectmen.

SELECTMEN REPORTS/REFERRALS

- S. Weisfeldt read a recent letter from the Sewer Commission dated 3/26/98 relative to extended warranties on grinder pumps. In response to a request by the B.O.S. that the Sewer Commission look into extending grinder pump warranties, the Commission explained that when it called for bids with five-year warranties, the cost of each pump nearly doubled. These findings led the Commission to believe that the extended warranty was both expensive and unnecessary.

- S. Weisfeldt provided an update on the revised Center School bid saying that the new bid packages should be out by the middle of April. The 9/1/99 opening of the school will not be delayed.

- In response to some residents' concerns about water quality in the Brick Kiln Road area, S. Gates went to the Board of Health and Water District to learn if these concerns were justified. After having discussed water quality with both departments and witnessing some of the numerous tests that are regularly conducted, she assured residents that the water in Chelmsford is clean and safe to drink.

- The State, in an effort to enlarge the 495 rest area, plans to build a composting facility in the vicinity of Bridge Street and Clover Hill. W. Dalton asked if there was any way that the State could tie into the sewer system instead. B. Lynch said that he would find out.

- W. Dalton made a motion for the Board of Selectmen to hold a public hearing on the bike trail and to publish a notice in the newspaper stating when the hearing will be held. The motion was seconded by P. Eliopoulos. The selectmen voted unanimously in favor of this motion.

- W. Dalton asked about the Westford Bylaw that prohibits people in Westford from living in unregistered vehicles. B. Lynch said that he is working with town counsel to find out if the bylaw could be expanded to prohibit people from living in registered vehicles as well.

- W. Dalton presented Chairman Peter Lawlor, who is not running for reelection when his term expires on 4/7/98, with a plaque bearing a gavel and a chair bearing the town seal. Peter served on the Board of Selectmen from 1992 to 1998, the last two years as Chairman.

- P. Lawlor made a presentation marking his last Board of Selectmen meeting. Some of the projects that have burgeoned during his tenure as selectman include the purchase of the golf course, expansion of the sewer service (goal of 100 percent of the town), construction of a new library and police station, lowered taxes, the purchase of 66 acres of open land, and renovation of the Center School.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

RECEIVED
1998 JUN 17 AM 11:15
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
April 9, 1998

A meeting of the Board of Selectmen was held on April 9, 1998, in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre.

BOARD OF SELECTMEN REORGANIZATION (FY98/99 OFFICERS)

Chairman: S. Weisfeldt nominated W. Dalton; seconded by P. Eliopoulos. The Board voted unanimously in favor.

Vice Chairman: P. Eliopoulos nominated S. Weisfeldt; seconded by M. McCall. The Board voted unanimously in favor.

Clerk: S. Weisfeldt nominated P. Eliopoulos; seconded by T. Moran. The Board voted unanimously in favor.

BOND SALE

S. Weisfeldt made the motion to approve the sale of the $3,230,000 Municipal Purpose Loan 1998 Bonds of the Town dated April 15, 1998, to Fidelity Capital Markets at the price of 100.042 percent and accrued interest as detailed in the attached motion prepared by Charles Mansfield. The motion was seconded by another Board member and unanimously approved.

CALL FOR SPECIAL TOWN MEETING

B. Lynch discussed Center School project bids. The town will need to incorporate a Special Town Meeting into the Annual to address the Center School bids due on April 22, 1998. Articles that will be included on the Special Town Meeting Warrant are as follows:

- Article 1: Center School
- Article 2: Date Change for Annual Election and Town Meeting
- Article 3: Budget Amendment for Labor Contracts

Motion by S. Weisfeldt to hold a Special Town Meeting on April 27, 1998, was seconded by P. Eliopoulos and unanimously approved.

EXECUTIVE SESSION

Motion by S. Weisfeldt, seconded by P. Eliopoulos, to go into Executive Session. Roll call vote was as follows: WFD, SGW, PME, TEM, and MFM.

Attachment (1)

cc: Town Clerk
Finance Committee
School Committee

Motion: That the sale of the $3,230,000 Municipal Purpose Loan of 1998 Bonds of the Town dated April 15, 1998, to Fidelity Capital Markets at the price of 100.042% and accrued interest is hereby confirmed. The bonds shall be payable on April 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate
1999	$380,000	5.50%
2000	$375,000	4.25%
2001	$375,000	4.00%
2002	$375,000	4.05%
2003	$375,000	4.10%
2004	$300,000	4.15%
2005	$275,000	4.25%
2006	$275,000	4.30%
2007	$250,000	4.35%
2008	$250,000	4.40%

Further Moved: that the consent dated March 31, 1998 to the financial advisor bidding for bonds is hereby confirmed.

RECEIVED
1998 JUN 17 AM 11:15
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
April 13, 1998

A regular meeting of the Board of Selectmen was held on April 13, 1998, in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford. The Board members present at the meeting were: William F. Dalton, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. (Stuart G. Weisfeldt was absent as he was out of town on vacation.) Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Jim Pearson from the D.P.W. and Julie Lefebvre, Executive Secretary, were present.

PUBLIC SERVICE ANNOUNCEMENTS

T. Moran and M. McCall thanked the voters of Chelmsford for being given the opportunity to serve them over the next three years. W. Dalton said that he would like the new Board to be proactive, not reactive. He also mentioned that although the two new Board members were new to the Board of Selectmen, they both had prior town experience—Tom Moran as a Sewer Commissioner and Mike McCall as a Finance Committee member.

OPEN SESSION

Herb Marcus, 4 Westview Avenue

Mr. Marcus said that he still has not seen the bike trail public hearing posted and asked what the format of the public hearing would be. He wanted to know if people would be given a chance to ask questions and whether or not the DPW, Police Department, Fire Department and Conservation Commission would be there.

W. Dalton said that people would be given the opportunity to ask questions and that representatives from the aforementioned departments would be there. Any issues brought up at the meeting will be addressed when the state comes in with its design plan. If, after the public hearing, people still feel like they want more input, subcommittees will be established.

Anthony Volpe, 144 Warren Avenue

He said that the School Committee would be having a public hearing to discuss budget requests for the next year and that he was welcoming all Board members to the meeting.

TOWN MANAGER REPORTS

- REPORTS

Bike Trail Hearing

B. Lynch stated that the bike trail hearing was scheduled for May 27, 1998, at 7:30 p.m. at the Senior Center. The police, fire department, community development and DPW would all be represented at the hearing.

Moody's Investors Service

Charles Mansfield said that savings resulting from the town's upgrade to an Aa3 rating would be about $81,000 over ten years. The best thing about the upgrade is that the town will save hundreds of thousands of dollars over the years on the sewer project.

B. Lynch said that the importance of this upgrade to the town cannot be overstated. It means that the town is considered to be a community with good financial practices as well as good investment and debt practices. Out of the 351 cities and towns in Massachusetts, only nine have a higher rating. The higher rating will minimize the impact of the sewer project on the taxpayers.

Paving Schedule

B. Lynch read off the 1998 paving schedule from a 4/2/98 memo from Jim Pearson.

North Chelmsford Wine and Liquor

The Selectmen's Office is now in possession of the All Alcohol License of this establishment, and the owner of the license no longer owns the property. At the next meeting the Board needs to revoke the license.

P. Eliopoulos made a motion to hold a public hearing to revoke the license of the owner of North Chelmsford Wine and Liquor. Motion seconded and unanimously approved.

Status Report

A status report on the town finances will be provided to the town meeting representatives. The town is running at 76.7 percent on its revenues and at 69.3 percent on expenditures, which is less than expected. The town has collected more in excise tax receipts. On the expenditures side, the town is expected to reach 100 percent as the final payments are made for this fiscal year. The town is operating well. We have good cash flow and are doing well in terms of budget to actuals.

W. Dalton asked if the town had been given a date as to when the state is supposed to begin repair work on the Princeton Street Bridge. B. Lynch said he would find out the date by next week.

Library

Work at the library has already commenced. Within the next week or so the back portion of the library will begin to be demolished.

Paving

M. McCall asked about the criteria for determining the pavement schedule. B. Lynch said that the paving schedule is determined by the condition of the roadways and the amount of traffic they receive. Another variable is the sewer project schedule, since it would not be feasible to resurface a road that's scheduled for sewer hookups within the next several years.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

B. Lynch advised the Board to postpone approval of the minutes till the next meeting since S. Weisfeldt was absent and there were two new Board members. He also advised deferring the warrant articles till the next meeting.

UNSCHEDULED BUSINESS

B. Lynch said that the Board voted at the last meeting to officially make Gay Street a one-way. Although the truck exclusion sign has been there for 10-15 years, no official record concerning the sign has been found. The businesses on the street cannot be prevented from using trucks. B. Lynch recommended that the Board vote to approve the truck exclusion on Gay Street.

J. Pearson said that in order to make a truck exclusion official, you have to submit an alternative route to the state for its approval. B. Lynch said that if this was the way the Board would like to proceed, he would get the paperwork together.

P. Eliopoulos made a motion to have the town proceed with putting a truck exclusion on Gay Street. The motion was seconded and unanimously approved.

SCHEDULED BUSINESS

Street Acceptance Public Hearing

J. Pearson said that a developer has to get approval from the Planning Board to post a bond before he can build a street. Once the subdivision is close to completion the builder petitions the town to accept the roadway as a public street. The B.O.S takes a vote approximately 14 days before Town Meeting. It takes both a B.O.S. vote and a Town Meeting vote to accept the streets. J. Pearson said that it is his recommendation that the Board accept all the streets that are up for acceptance.

According to J. Pearson, Hillside Lane and Hollow Ridge Road both have approximately $10,000 worth of minor landscaping left. Strobel Lane has about $13,000 left, and the builder has not yet come to the Planning Board for a reduction. All streets except Wells Fargo Road are on sanitary sewage.

Jim Decker, 12 Hillside Lane, said he abuts the three homes that were built on the extension of the cul-de-sac. He said that some other Hillside Lane homeowners were present at the meeting hoping that issues at Hillside could be resolved before the town releases any money. He said there was still an accumulation of boulders, brush and tree branches. He said that George LeMasurier had assured him that before any money would be released, the area would be cleaned up. Mr. Decker said that he is afraid that if the money is given out to the contractor, the contractor won't have the incentive to come forward to correct the situation.

J. Pearson said that the accumulation of boulders, brush and tree branches that Jim Decker mentioned is on Reservoir Road, which is not part of the subdivision. He said that this was an overgrown area before the Hillside Lane project was started.

Dick Dicecca, 15 Hillside Lane, said that his understanding was that the area was to be brought back to its original form. He said that there are 18 children on Hillside under the age of 11. The Water Department was supposed to install a chain link fence around the overflow culvert and section the culvert off in a way that would prevent children from getting into it. He said that there was a water retention ditch in the back of the property. At one time a work crew with heavy equipment came by to lower the ditch. The retention ditch collects water, which causes Mr. Dicecca a safety concern in that the water sets two to three feet. He asked that the town put a chain link fence around the retention area instead of the culvert.

With regard to the fence, J. Pearson said that he goes to almost every Planning Board meeting and that this is the first he has heard of it. He said that this might have been a covenant with the Water District. Another Hillside resident who was present at the meeting confirmed that this was so.

W. Dalton then asked if the town could address the builder on this issue. B. Lynch said that if the agreement was made with the Water District, the residents would have to work the situation out with the Water District people.

Beth Benoit, 13 Hillside Lane, said she was concerned about what she called a "safety hazard" for the young children on the street. She said that the retention ditch was full of water last summer when it should have been dry. She urged the B.O.S. not to release the bond before the retention ditch is working the way it is supposed to work.

P. Eliopoulos said that it is up to the builder and Water District to resolve this problem. Resolution would be contingent upon the Water District's consent since it was the entity that entered into the covenant initially. J. Pearson said that even if the Board were to accept the streets, it doesn't mean that the town will immediately release the bonds.

P. Eliopoulos made a motion to close the public hearing: all in favor. He then made a motion to accept the following streets subject to a positive Town Meeting vote: Hillside Lane, Hollow Ridge Road, Rosemary Lane, Strobel Lane, Trailside Drive, and Wells Fargo Road. T. Moran seconded the motion. Discussion: T. Moran said he shares the Hillside residents' concerns with reference to the potential danger the retention ditch poses to little children and something has to be done to protect them. J. Pearson then said he would be willing to meet with the builder before Town Meeting to discuss the issue.

P. Eliopoulos then made a motion to accept the above-mentioned streets as long as the Planning Board is notified about the concerns of the residents and these concerns are met. In addition, a copy of the letter notifying the Planning Board of the situation would be sent to the builder. All voted unanimously in favor of the revised motion.

Central Square Presentation

B. Lynch said that the town was exploring ways to make the Center more user-friendly and attractive and to improve traffic conditions there. To accomplish this, the town has engaged the services of The Edge Group, Inc. Fred Faust, representing the Edge Group, then made a presentation (Ref. Draft Report: An Action Plan for Central Square, dated April 13, 1998).

B. Lynch said that there is a lot happening in the Center--the Library project, a $1.3 million grant for traffic improvement, a private investment on Summer Street, the investment of Jack Hanley, etc.--and that the Board was supportive of making this project a priority at a previous meeting. He said that he was looking for the current Board's support to move forward.

T. Moran said that the presentation was excellent and that he supports the Center project 100 percent. P. Eliopoulos said that the presentation was fantastic and that he was also 100 percent supportive of the project. M. McCall also expressed his appreciation of the presentation. W. Dalton said that the estimated cost of the project, excluding the lights, was $6 million. B. Lynch said that the estimated cost to suppress the lights was $3 million to $4 million. W. Dalton then asked if there would be any grant money available for this. B. Lynch said that there might be and that he was currently looking into it, though he believed there was an $800,000 cap on the money. He said he was also looking into deregulation to see if there are any opportunities there.

Dick Main from Enterprise Bank said that now through the end of 1998 the bank would be willing to commit $250,000 ($10,000 to $50,000 loan per project) at a 6 percent rate to Center businesses. He said that he was looking forward to working with the town and Fred Faust on the Central Square Project.

Dick Lahue said that his brother talked about renovating the Center about 60 years ago and that he has been looking forward to this for a long time. After many years of changes and plans focused on resolving the traffic problems in the Center, this is the first time a comprehensive plan to revitalize it emerges.

Ann Marie Roarke, President of the Chelmsford Business Association, said that she has spoken with Fred Faust several times about the project and that this would be a boon to all business in Chelmsford.

B. Lynch then asked for a vote by the Board to endorse the town in its efforts to proceed with the project and to seek additional funding. P. Eliopoulos made a motion to support the Center project and the plan that was presented tonight and to seek additional funding for it. The Board voted unanimously in favor.

Police Station Architects

B. Lynch said that the current police station was built in the 1960s when the town's population was half of what it is today. Over the last 12 years there have been a number of serious problems in the building involving the electrical, plumbing and roofing systems. About 1.5 years ago Town Meeting approved the police station project. Kaestle Boos Associates has been working with the building committee on the project trying to map out a plan that would meet the community's needs for the next 30+ years.

Mark Weisman, the lead architect for the police station project, did a presentation on Kaestle Boos' study of the project (Ref. Police Facility Study, dated April 13, 1998). Although town officials originally thought that it would be reasonable and cost effective to put an addition onto the existing station, results from Kaestle Boos' architectural study show that demolishing the old building and using the site to build a new station would be the best way to go.

T. Moran asked when the project would be completed. B. Lynch said that the project would go out to bid in the November/December timeframe and that construction would begin about this time next year. The town would need to lease 5 to 8 thousand square feet of space while construction is under way, and the cost for this is higher than anticipated, coming in just under $4.9 million.

M. Weisman said that from a cost standpoint the difference between adding onto the existing station and building a new one would be a wash but that the resulting station would be less efficient if the town decided to add onto the old building. W. Dalton then asked for a cost comparison showing what it would cost to add on to the existing structure vs. what it would cost to demolish the old station and build a new one. M. Weisman said it would be a wash and that the floor plan would lose efficiency by adding onto the old structure. P. Eliopoulous said that since Chelmsford is already built up, a new police facility could very well take the town well into the future. T. Moran said that town officials have known about this need for a long time and that he is hopeful that with the favorable bond rating the town can move forward with these plans. M. McCall said he knows the town has spent money on roof repairs to the police station over the years. W. Dalton said there is a definite need. The quarters are much to overcrowded.

SELECTMEN REPORTS/REFERRALS

- P. Eliopoulos said that FinCom is finished putting the budget together for Town Meeting and that the budget will be ready in 8-10 days. He also wanted to remind everyone about the Town-wide Litter Clean-up on May 2.

- P. Eliopoulos asked for a hard copy of the Five-year Financial Plan. B. Lynch said that he would be putting the report in draft form for the B.O.S. within the next 30 days.

- W. Dalton asked about the status of double pole legislation. B. Lynch said that all the utilities had been sent a notice advising them that Chelmsford would be implementing the legislation.

- W. Dalton asked if the drainage situation at Longview had been brought under control. B. Lynch said that he had had a conversation about the problem with the owner last week. An individual experienced in this kind of drainage work has been found, and the existing pipe will be replaced with an 18-inch PVC pipe that will take considerably more water. There is some concern about the slope of the detention area and the town is considering the possibility of cutting it down. Work to resolve the problem is expected to begin in the next couple of weeks.

- W. Dalton asked where we stand with the Freeman Lake dam. B. Lynch said study results by Jim Pearson and Andy Sheehan proposed bringing the water level down six inches. The town has submitted the necessary paperwork to the DEP to lower the level down to six inches, but the DEP has not acted. At this time town officials are seeking out a higher level of management at the DEP to move forward in resolving the problem, which he did not believe likely to get any worse.

- W. Dalton asked about the meeting that was supposed to be set up with the state and Vinal Square residents. W. Dalton asked B. Lynch to get in touch with state officials to find out if they are willing to address our concerns.

- M. McCall said that there doesn't seem to be enough parking at Vinal Square since a lot of people are parking in the dirt lot. He is concerned about this in light of the potential for more businesses moving into the area. B. Lynch agreed to look into the parking situation at Vinal Square.

- W. Dalton asked if there might be a way to redirect traffic at the Vinal Square intersection in a way that would allow for more on-street parking. B. Lynch said that he had looked into rerouting traffic before and learned that there were some wetlands that would make this difficult but he would check into it again.

- W. Dalton asked about the state's plan to use a composting system at the 495 rest area vs. tying into the sewer system. B. Lynch said that he had asked Andy Sheehan to look into this. State legislation requires that the state use alternative technologies rather than tying into the

sewer system. Tying the rest area into the sewer system would make for a difficult connection in that it would involve a wetlands crossing (that may not be allowed) on one side and a grinder pump installation on the other.

- W. Dalton asked about the status of the tax information he had inquired about in the fall. B. Lynch said that the information was contained in the budget that J. Coderre was currently working on.

- P. Eliopoulos asked about the status of the five-year plan. B. Lynch said that preliminary numbers would be ready within the next three to four weeks, which would be in time for Town Meeting, and that the final plan would be ready prior to setting goals for the next fiscal year.

P. Eliopoulos made a motion to go into Executive Session to discuss collective bargaining, the acquisition of real property, and labor settlements. The motion was seconded by T. Moran and a role call vote proceeded as follows: WFD—Aye, PME—Aye, TEM—Aye, and MFM—Aye.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

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1998 JUN 17 AM 11:15
CHELMSFORD
MARY ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
April 27, 1998

A meeting of the Board of Selectmen was held on April 27, 1998, at the Senior Center, 75 Groton Road, N. Chelmsford. The Board members present at the meeting were: William F. Dalton, , Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Julie Lefebvre, Executive Secretary, was present.

SPECIAL WARRANT ARTICLES

Article 1: Center School

Bernie Lynch said that he plans to award the Center School contract tonight pending Town Meeting approval for additional money, since the bids came in $1.3 million over initial budget. The school sees the Center School project as a way of dealing with overcrowding. B. Lynch said he thinks the town can absorb the cost of the project within the operating budget over the next 15 years contingent upon adherence to the Financial Plan. Stuart Weisfeldt mentioned that the state is going to pick up 66 percent of the cost to renovate the Center School. B. Lynch said that initially the town would have to fund the whole project; however, once the project is completed, the state will reimburse the town a portion of the money. B. Lynch and the selectmen all agreed that it was important that the school, as well as the other departments, stay within the budget.

S. Weisfeldt made a motion to support Article 1 in favor of B. Lynch seeking additional funding for the Center School contract award. The motion was seconded by Phil Eliopoulos and subsequently approved by a unanimous vote.

Article 2: Time of Annual Election

Bill Dalton initiated changing the date that annual town elections are held. This would eliminate the chance of snowstorms interfering with elections, as happened at the previous election, and would allow the existing Board of Selectmen to participate in Town Meeting. The proposed change was to move the annual election from the first Tuesday of April to the second Tuesday of May and to change Section 3: Time of Meetings by replacing the "last Monday in April" with the "second Monday in April."

P. Eliopoulos said that he was concerned that the change would conflict with spring vacation, which would make it difficult for the Town to get people involved in Town Meeting. W. Dalton said that Mary St. Hilaire had suggested moving Town Meeting if elections were going to be moved. T. Moran said that holding Town Meetings before elections would benefit anyone running for selectman because of the exposure but that people do tend to get busy in May. M.

McCall said that he understands the merits of the article but agrees that a lot of things come up in May and, for this reason, he would like to leave timeframes the way they are. S. Weisfeldt said that he would like to leave Town Meeting where it is and just change the election. P. Eliopoulos agreed and suggested leaving Town Meeting where it is and just moving the election to the second Tuesday in May. This way Town Meeting would fall before the election. W. Dalton said that this would give anyone running for reelection a chance to push something through before the election. P. Eliopoulos then suggested leaving the decision up to Town Meeting.

W. Dalton made a motion, which was seconded by P. Eliopoulos, to amend the article by leaving out the Section 3 change relating to Time of Meetings. Motion was approved by a unanimous vote.

Article 3: Amendment of Operating Budget

S. Weisfeldt made the motion to raise and appropriate or transfer from available funds a certain sum of money in order to amend the Fiscal Year 1998 operating budget under Article 2 of the Annual Town Meeting held on April 28, 1997. The motion was seconded by P. Eliopoulos and unanimously approved by the Board.

Article 4: Purchase of Land on Richardson Road

S. Weisfeldt motioned to approve that the Board of Selectmen acquire by purchase land on Richardson Road for the purpose of a municipal sand and gravel operation as outlined in Article 4 of the Special Warrant Articles. P. Eliopoulos seconded the motion, which was then unanimously approved by the Board.

REGULAR WARRANT ARTICLES

FY99 Proposed Budget

S. Weisfeldt motioned to approve the Revised FY99 Proposed Budget as presented by B. Lynch. The motion was seconded by P. Eliopoulos and unanimously approved.

Center School

S. Weisfeldt motioned to approve awarding the Center School project to T.R. White for $5,581,00 pending approval of Town Meeting for additional funding. Discussion: According to B. Lynch, the contract will be executed after tonight's meeting if all goes as expected. P. Eliopoulos said that the contract should be strong on penalties. B. Lynch said that contracts on public bidding in general have provisions for failure to meet completion schedules. The aforementioned motion was seconded by P. Eliopoulos and unanimously approved.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

BOARD OF SELECTMEN MEETING MINUTES
April 30, 1998

A meeting of the Board of Selectmen was held on April 30, 1998, at the Senior Center, 75 Groton Road, Chelmsford. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was Julie Lefebvre, Executive Secretary. John Giorgio from Kopelman and Paige was also present.

THE RADISSON

B. Lynch said that the owner of the Radisson has made physical changes to the lounge area, which affects its all alcohol/common victualer license. Someone from the Radisson contacted the Selectmen's Office after the fact and was told that he had to get BOS approval to modify the premises. Since no one was present at the public meeting from the Radisson and since no green receipt cards had yet been received showing that abutters were duly notified of the change in premises, B. Lynch recommended continuing the hearing to the next regular meeting on May 11, 1998.

W. Dalton made a motion to continue the Radisson change of premises hearing until the next regular BOS meeting on May 11, 1998. The motion was seconded by P. Eliopoulos and unanimously approved.

W. Dalton then made a motion to continue the public hearing on Bo-Mar-Fig to the next regular BOS meeting on May 11, 1998. The motion was seconded by P. Eliopoulos and unanimously approved.

LICENSE FOR PUBLIC ENTERTAINMENT ON SUNDAY

Dean & Flynn, Inc., d/b/a Fiesta Shows, applied for this license to be effective on May 10, 1998, relative to a carnival the company would be holding at the Route 3 Cinema parking lot on that date. According to B. Lynch, Chief Armand Caron had been notified, and he recommended that the BOS approve the license.

S. Weisfeldt made a motion, which was seconded by P. Eliopoulos, to approve the license for Public Entertainment on Sunday, May 10, 1998, submitted by Dean & Flynn, Inc. The motion received a unanimous vote in favor.

HAZARDOUS WASTE DROP OFF

B. Lynch announced that the hazardous waste drop off was scheduled for May 2. Because the Adams Library, temporarily housed on the lower level of the Town Offices, would be open on that day, it would be difficult to hold the drop off in the upper parking lot. For this reason Jim Pearson decided to hold the drop off at the Center School property. In order to do this, the fire road would have to be opened up, and a letter had gone out to the abutters advising them of the situation.

At 7:25 p.m. W. Dalton made a motion to go back into Executive Session. The motion was seconded by P. Eliopoulos and a roll call vote followed: WFD—Aye, SGW—Aye, PME—Aye, TEM—Aye, and MFM—Aye.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

RECEIVED
1998 JUN 17 AM 11:15
TOWN CLERK

BOARD OF SELECTMEN PUBLIC HEARING
ON THE BRUCE FREEMAN BIKEWAY
May 27, 1998

A public hearing was held by the Board of Selectmen on May 27, 1998, at the Senior Center. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran, and Michael F. McCall.

Also present at the meeting were Bernard Lynch, John Coderre, Julie Lefebvre, Armand Caron, John Parrow, James Pearson, and Andrew Sheehan.

UNSCHEDULED BUSINESS

All Alcohol License—Bo-Mar-Fig

B. Lynch said that he was still working with Town Council on bankruptcy issues relating to the Bo-Mar-Fig All Alcohol License and that it was his recommendation that the Board wait until the next regular BOS meeting to move forward on this issue. The next regular Board meeting is scheduled for June 15, 1998.

A motion by S. Weisfeldt, seconded by P. Eliopoulos, to defer discussion on the All Alcohol License of Bo-Mar-Fig was unanimously approved by the BOS.

PUBLIC HEARING ON THE BRUCE FREEMAN BIKEWAY

B. Lynch began the meeting with an overview of the history of the bike trail. It began about 20 years ago when the railroad stopped operating and the state took control of the line. At that time bikeways were heralded for their recreational purposes and as alternative modes of transportation.

In 1985 the town started talking with the state about converting the railroad into a recreational pathway. In 1986 the state took some interest in the program, but there was no funding available. At around this same time, the rails to trails project took on the name of the Bruce Freeman Bikeway, named after the incumbent state representative.

Between 1987 and 1988 there was an outpouring of support for the bike path, and a town petition requesting that the project move forward was signed by 800 people. In addition, the Board of Selectmen voted to have the project move forward.

A couple of years ago the state obtained funding for the project. Subsequently, the state agreed to build the bikeway, while Chelmsford agreed to provide routine maintenance. Any other communities wanting to tie into the path at a later date could share the maintenance costs with Chelmsford.

Based on the town's analysis, 1700 people will be using the bikeway per day. This figure not only includes residents from Chelmsford, but Lowell and Westford as well. Reports received by the Chief of Police show very little crime occurring at bike paths in similar communities and an insignificant increase of emergency medical calls. In addition, maintenance costs are expected to be very low—estimated at $1000 per year for a sweeper--since the bike path won't be plowed in the winter.

With respect to the surfacing of the bikeway, it appears that gravel would restrict usage and increase maintenance costs. The width of the path has been proposed at 12 feet in most areas with various 10-foot sections. A tree canopy is expected to cover 28-foot widths sectioned out of the 66-foot widths owned by the state. The path has to be wide enough for bikes to pass each other and for the passage of emergency vehicles. Although trash is an issue, the DPW should be able to accommodate cleanup of the bikeway.

The general consensus is that any parking problems that might arise can be resolved. Six-foot chain-link fences and plantings will be installed along the path where properties abut. Structures that have been built over the years along the right-of-way will have to be removed. Traffic issues relating to the bike path will be accommodated into the Center plans. The Chelmsford Business Association has endorsed the project.

Constituent Speakers:

1. Patrick Caumo, Bigelow Street—best thing that he has ever seen happen in this Town.

2. Ken Hughes, Melody Lane—one of the largest abutters; best thing that has happened to Chelmsford in a long time; roads are no longer safe for bike riding.

3. Ralph Barisano, 24 Golden Cove Road—too much traffic in Town for safe bike riding; wants to thank everyone who was involved with the bike path thus far.

4. Max Ward, 15 Pinewood Road—runner; bike trail will be an asset and something to be proud of.

5. Dan Burkhardt, 14 Alcorn Road—runner; says we can expect 6000 people on the trail on the weekends; questioned the Town's prediction of 1700.

6. Adam Clough, 22 Galloway Road—concerned about increase in Town population and in traffic since the roads are already busy enough.

7. Derrick Gates, 7 Trotting Road—parents live near Shining Sea Bike Path on Cape Cod, and the path is a positive aspect of that community; it would take the Town a long time to put in as many miles of off-road passageways as the bike trail will provide in a much shorter timeframe.

8. Catherine Brown, 180 High Street—bought property before trains stopped running and never considered tracks as an extension of her property; tried to use the tracks as a walking area five years ago and had to clean up a lot of trash, including appliances; definitely in favor.

9. Mary Duffy, Janet Road—equestrian; doesn't want to ride horse on pavement; asking that gravel be used instead.

10. Rebecca Marquis, Dunstable Road; National Park employee; says the Heritage River Trail in Lowell takes on thousands of people a day and does not have any significant problems.

11. Deborah Weiner, 69 Hunt Road—wildlife will be adversely affected; wants a gravel surface so as not to exclude equestrians.

12. Richard Anthony, 8 New Fletcher Street—Chelmsford Community Impact (CCI); does not want to stop the bike path but does want to revise plans; State has been uncooperative; supports gravel base; negative impact on property values; might increase homeowner's insurance costs due to vandalism; privacy (State's plan to put up vinyl-coated chain-link fence is inadequate); wants to know if State is going to do triangulated screening before it begins construction; wants State to put fence closer to the trail instead of near the right-of-way; wants BOS to coax State to address these concerns.

13. Jim Kelsey, 26 Woodlawn Avenue—can't have a true multi-purpose trail; abutter's privacy issues need to be addressed.

14. Robert Galejas, 8 Kristin Drive—unpaved surfaces exclude more people than they include; wants to see bike trail go through.

15. Herb Marcus, 4 Westview Avenue—CCI; 1700 people per day estimate is very low; he estimates 5000 to 6000 per day; commercial impact is exaggerated; wants gravel surface; concerned about safety saying that pedestrians and bikers don't mix ("bike highway"); path is too wide for canopy; 1.5 miles is on conservation land (River Protection Act restrictions); thinks trail will lead to wetland flooding; will have to remove hundreds of thousands of trees; foresees a parking nightmare; predicts a disruption in the quality of life in Chelmsford.

16. Steve Temple, 3 Fox Haven Way—abutter in favor.

17. Peter Karl, 3 Matthew Lane—should install a "use at your own risk" sign at the trail; control litter by having police issue citations; says bike path will be a good thing.

18. Cindy Hammond, 44 Lamplighter Lane—bike trail needs to be carefully planned so as not to disrupt the natural surroundings any more than necessary; focus on size of equipment; would

like to see an equestrian trail built aside of the bike path; safety concerns need to be taken into consideration, particularly around intersections.

19. Everett Colburn—large abutter; says no one from Town or State has ever come to talk to him about the bike trail; concerned about where his tax money is going; called bike trail an "environmental disaster"; abutters are not on any boards/committees involved in the project, and project should be put on hold until their concerns are addressed.

20. Lesley Matthews, 19 Clarissa Road—no one is listening at the State level; State needs to listen and compromise.

21. Matt Scott, 24 Samuel Road—multi-use path will exclude elderly and disabled.

22. John Ferry, Fletcher Street—abutter; concerned about increased crime on abutter property; safety is big issue, e.g., Golden Cove Crossing.

23. Bob Corliss, 12 Lakeside Avenue—abutter; says there won't be enough parking; questions need for additional money for policing and maintenance (answered by BFL and JEP); abutters have the increased liability of someone wandering off the trail into their yards and getting hurt; need for barriers around water areas.

24. Mark Connors, Dunstable Road—nothing's going to happen on the path in terms of litter, crime, etc., that isn't happening elsewhere in Chelmsford already; address abutters issues and move on with the plan.

25. Susan Julian Gates, 7 Trotting Road—supports equestrian use but not on paved surface (right-of-way should be wide enough to accommodate both); asphalt would allow for a more multi-use type of path; satisfy needs of abutters.

26. Al Arseneault, 16 New Fletcher Street—concerned about traffic impact in that trail intersects with some major roads and there are already enough traffic problems at Center.

27. Carol Cleven—if Town does not use Federal money that is available for bike path, the money will only be used for a bike path in another part of the state (not transferable to other projects); studies show that bike trails either increase the value of properties or have no effect on the value; good selling point for homes; letter from Lexington police chief says cost to patrol Minuteman bike trail is $3000 to $4000 per year, and this cost is sometimes subsidized by Federal grant money.

28. Kirby Nichols, Old Stage Road—gravel not good for young children; smooth pavement is preferable; there's a lot of parking space at Byam School although it can't be used during school hours.

29. Mike ?, 11 New Fletcher Street—not an abutter; says Town should be cautious about what it is getting from the State before approving anything.

30. Bob Morse, 45 Clarissa Road—bike paths are safe places for children; need to address parking.

31. Kevin McDougall, 11 Dawn Drive—State should be more responsive; questioned policing of bike riders (e.g., failing to stop at stop signs, exceeding speed limits).

32. Glenn Thoren, 18 Pinewood Road—BOS should influence the State as to what Chelmsford expects the bike path to be like.

33. Kathy Gronokowski, Blaisdale Road—concerned that cars will park on the cul de sac; wants another meeting with BOS before meeting on 25 percent (BFL—parking a local issue and Town will address it).

34. Bob Kelly, 31 Acton Road, Westford—abutter; concerned about herbicides getting into well water; heard that parking lot was going in at intersection of Routes 27 and 25, which would be right next to his house, and wanted to know if there would be some kind of fence put up.

35. Cynthia Kaplan, ?—abutters issues are valid; members of the community should observe other bike paths; in favor.

36. Peggy Dunn, Historic District Commission—bike path would be a tremendous asset to the Town.

37. Paul McGee, 6 Reid Road—all projections are going to go up once other bike paths tie into the Freeman trail.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

Town Clerk

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BOARD OF SELECTMEN MEETING MINUTES
May 11, 1998

A meeting of the Board of Selectmen was held on May 11, 1998, in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

CHARLES F. MANSFIELD—BOND APPROVAL

Charles Mansfield came before the Board to seek its approval to obtain bond(s) in an aggregate principal amount not to exceed $7,228,434 at an interest rate of 1.825 percent.

S. Weisfeldt made a motion to permit the Finance Director to issue a bond or bonds in an aggregate principal amount not to exceed $7,228,434 pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed April 24, 1989 (Article 8), for construction of sewers and other water pollution control facilities (Ref. attached motion). The motion was seconded by P. Eliopoulos and unanimously approved.

JOINT MEETING WITH THE SEWER COMMISSION

John Emerson, Barry Balan, George Abely and Richard Day from the Sewer Commission were present for the joint meeting with the BOS. The joint meeting was being held to fill the vacancy created when Tom Moran resigned from the Sewer Commission immediately following his election to the Board of Selectmen. J. Emerson put forth a motion to nominate John Souza to complete the three-year term. J. Emerson said that Mr. Souza, a 32-year resident of the town, had tried unsuccessfully to get onto the Sewer Commission in the past.

S. Weisfeldt made a motion to close nominations. The motion was seconded by P. Eliopoulos and unanimously approved. The motion to approve the nomination of John Souza to complete the three-year term of T. Moran was unanimously approved by all members of the Sewer Commission and by all Selectmen.

J. Emerson then presented a plaque to T. Moran for his five years of service on the Sewer Commission as well as his service to the community (1993-1998). T. Moran said that the five years he spent on the Sewer Commission were the most enjoyable of his years of public service and that he hopes that the time he will spend serving the Town as a Selectmen will be just as enjoyable.

PUBLIC SERVICE ANNOUNCE MENTS/OPEN SESSION

Town Celebrations Committee

Jeff Stallard, member of the Town Celebrations Committee, came before the Board seeking its approval to impose restricted vendor areas for the Memorial Day Parade. S. Weisfeldt made a motion to have the Board invoke Section 13 of the By-laws, entitled Restricted Vendor Areas. The motion was seconded by P. Eliopoulos and subsequently approved by all.

Greater Lowell Boy Scout Council

Tom Christiano, 6 Drew Circle, announced that a public meeting to discuss the viability of the Greater Lowell Boy Scout Council was scheduled for Thursday, May 14, 1998, at 6:00 p.m. at the Old Town Hall. Dan O'Brien from the Boy Scout Council would be at the meeting as well as a number of town meeting representatives. T. Christiano was inviting anyone from the nine surrounding communities that the Council serves to attend the meeting.

Bob Corliss, 12 Lakeside Avenue (Hart Pond Dam)

Bob Corless informed the Selectmen that some nights ago someone removed a number of boards at the Hart Pond Dam, which subsequently flooded some nearby yards. He said that this spring was not the first time someone did this and that he does not want to see it happen again. According to Mr. Corless, maintenance of the dam, including the addition and removal of boards, is the town's responsibility.

B. Lynch said that there was a management plan on file regarding the operation of the dam and that he will get Bob Corless a copy. T. Moran suggested that the boards be locked in place, and B. Lynch said that he would look into the possibility of doing this.

Proclamations

S. Weisfeldt read the Memorial Day Proclamation and the Emergency Medical Services Week Proclamation. Although no one was present to receive either of these at the time, Marty Walsh, who had been detained, did arrive later in the evening to accept the Memorial Day Proclamation.

Dennis Ready, Elks

On behalf of the Elks, Dennis Ready thanked the BOS, Town Manager, elected officials and employees of the town for their participation in Student Government Day. He then invited the Board of Selectmen to Student Activity Day (May 14 at 7:00 p.m. at the Elks) and to the after-prom breakfast (June 9/10 from midnight to 5:00 a.m. at the Elks). Next, he asked the Board's permission to use the Common for Flag Day ceremonies on June 15 and invited the Selectmen to the Common at 6:30 p.m. on that day to start the ceremonies.

S. Weisfeldt made a motion to permit the Elks to conduct Flag Day ceremonies on the Common. The motion was seconded by P. Eliopoulos and unanimously approved.

SCHEDULED BUSINESS

Jim Good and Robert Kennedy, Lowell Regional Transit Authority (LRTA)

Jim Good and Robert Kennedy presented the Selectmen with an outline of the LRTA's services and cost of services as well as the LRTA's goals. The LRTA provided 88,528 rides to Chelmsford residents in FY97 at a total cost to the Town of $154,655.

In response to W. Dalton's inquiries about additional routes, R. Kennedy said that what would benefit Chelmsford residents most would be better services to the industrial parks in the community.

Automatic Amusement Devices—Bainbridges

Peter Castro came to the meeting to request a license to maintain a coin-operated pool table in the lounge at Bainbridges. S. Weisfeldt made a motion to approve the license, which was seconded by P. Eliopoulos and unanimously approved.

Change of Hours—Glenview Pub & Grill

Melissa Green, Manager of the Glenview Pub & Grill, requested a change of hours to their common victualer license so that the restaurant could open for breakfast. The change of hours would be from the current 11:30 a.m. to 6:00 a.m. The lounge, however, would stay closed during the breakfast hours.

S. Weisfeldt made a motion to allow the Glenview Pub & Grill to change its hours of operation from 11:30 a.m. to 6:00 a.m. so that the restaurant could serve breakfast. The motion was seconded by P. Eliopoulos and subsequently approved by all.

APPROVAL OF MINUTES FROM PREVIOUS BOS MEETINGS

S. Weisfeldt made a motion to approve minutes from the following BOS meetings: March 16, 1998 (regular), and March 30, 1998 (regular). The motion was seconded by P. Eliopoulos and unanimously approved.

TOWN MANAGER REPORTS

Town's Financial Condition--Expenditures and Receipts

B. Lynch handed out to the selectmen a schedule of expenditures and receipts through April 30, 1998. He said that the town is in good financial condition and operating quite well, being at about 77 percent in line with projections for receipts and close to 94 percent for expenditures based on what was budgeted. The Mass Gravel receipts pose the most significant change in that they are ahead of schedule. Tax receipts are doing well at almost a 90 percent collection rate. It is expected that the town will exceed 100 percent of projected receipts this fiscal year.

Open Space and Recreation Plan

Andrew Sheehan, Community Development Coordinator, had the Open Space and Recreation Plan revised. A revision to the plan had not been done since 1985. The plan is now in draft form and with the State for its review. A public hearing on the plan is scheduled for May 19, 1998.

Sidewalks

As part of its long-term plan, the Town will be moving forward to continue the sidewalk on Acton Road probably around the first part of July. The sidewalk will stretch from Center to High Street.

Princeton Street Bridge

The state has put repairs to the Princeton Street Bridge on hold till July 1, 1998.

Gay Street

The State has asked for a traffic count as part of the process of obtaining a valid truck exclusion order on Gay Street. Observations to determine how many trucks currently use the street will be conducted as soon as the Town has the manpower to do it. W. Dalton pointed out that because of the existing truck exclusion sign posted on the street, results from the traffic count would be skewed. B. Lynch said that despite the validity of W. Dalton's observation, the Town is obliged to follow the State-imposed procedure.

Longview Drive

The plan report to address the flooding issue on Longview Drive has been submitted to Longview residents, and work should begin tomorrow to fix/replace the clogged pipe.

Police

Two police officers have completed an 80-hour motorcycle class at Pease Air Force Base.

National Police Week is May 10-15, and on May 15 by Presidential order flags will be flying at half-staff to commemorate those police officers who lost their lives in the line of duty.

Recycling News

A furniture, household goods and clothing drop-off is scheduled for Sunday, May 31, 1998, from 11:00 a.m. to 2:00 p.m. And a metal drop-off is scheduled for Sunday, May 31, 1998, from 11:00 a.m. to 2:00 p.m.

Construction Projects

Library construction is moving forward and excavation work is underway.

The Center School project is moving forward. The contract is being executed and an official notice to proceed will be forwarded to the building contractor in the near future. Construction work is expected to begin within the next couple of weeks.

Cable Rate Increases

Notification has gone out that Media One will be increasing viewer rates effective July 1. Cable service rates are not regulated by the Board of Selectmen; rate determinations fall under the jurisdiction of the State. B. Lynch handed out a Cable Rate Complaint Form to the Selectmen. Anyone in the Town who is dissatisfied with the new rate increase is welcome to fill out this form and submit it to the State.

In response to S. Weisfeldt inquiries as to whether or not B. Lynch had looked into inviting cable provider competition, B. Lynch said that Atty. Epstein was researching the possibility of RCN being able to provide cable service to the Town.

T. Moran requested that a letter from the BOS be sent to Marty Meehan asking if there might be something he could do to bring cable television back under State regulation. Deregulation, which was supposed to promote competition in the cable industry, is not working because of the technical difficulties associated with having more than one cable provider in any given jurisdiction.

SCHEDULED BUSINESS (Continued)

Common Victualer License—The Bagel Parade

Lee Reidy, owner of The Bagel Parade, came before the Board requesting a Common Victualer License to operate her business. S. Weisfeldt motioned to grant Lee Reidy the license as requested. The motioned was seconded by P. Eliopoulos and unanimously approved by the BOS.

APPOINTMENTS

Traffic and Safety Committee

B. Lynch appointed Jason P. Hanson to the Traffic and Safety Committee. S. Weisfeldt made a motion to endorse the appointment. The motion was seconded by P. Eliopoulos and unanimously approved.

Commission on Disabilities

B. Lynch said that Mary St. Hilaire, Town Clerk, would be resigning from the Commission on Disabilities and that one commissioner on this committee must be an elected official. He therefore appointed Frederick S. Marcks, a Town Meeting Representative, to fill the Mary St. Hilaire vacancy. In addition, he appointed Thomas R. Fall and Marti McCuller to the commission, which had been operating short staffed for some time.

S. Weisfeldt motioned that the BOS endorse the aforementioned Town Manager appointments to the Commission on Disabilities. The motion was seconded by P. Eliopoulos and unanimously approved.

TOWN MANAGER CONTRACT AWARD

Cemetery Commission Dump Truck

B. Lynch recommended that the award for a one-ton dump truck for the Cemetery Commission go to the low bidder, Stoneham Motor Co. of Stoneham, MA, for the amount of $29,985.

S. Weisfeldt motioned that the BOS endorse the Town Manager's contract award to the Stoneham Motor Co. for the above-referenced purpose and amount. P. Eliopoulos seconded the motion, which was subsequently approved by all Selectmen.

UNSCHEDULED BUSINESS

Radisson Heritage Hotel Alteration of Premises

Bill McDonald, General Manager of the Radisson, came before the Selectmen to obtain their approval on a structural modification that had recently been made at the Radisson. Apparently a wall in the lounge had been torn down to expand the room's seating capacity. The lounge can now accommodate 60 guests instead of 40.

S. Weisfeldt made a motion to approve this alteration of premises. P. Eliopoulos seconded the motion, which was then unanimously approved.

Five One-day Liquor Licenses—Ss. Vartanantz Armenian Church

After B. Lynch confirmed that Ss. Vartanantz was not exceeding the one-day liquor license limit by requesting these five licenses, S. Weisfeldt made a motion to allow the Church five one-day liquor licenses for the following dates: June 7, 1998; June 14, 1998; July 11, 1998; August 2, 1998; and August 16, 1998. The motion was seconded by P. Eliopoulos and approved by all.

All Alcohol License—Bo-Mar-Fig

On the advice of Town Council, B. Lynch asked the Board to postpone further discussions on the All Alcohol License of Bo-Mar-Fig till the next meeting on May 27, 1998. S. Weisfeldt made a

motion for the Board to agree to defer said discussions till May 27. The motion was seconded by P. Eliopoulos and unanimously approved.

SELECTMEN REPORTS/REFERRALS

- T. Moran initiated a motion to send a letter from the BOS to Marty Meehan asking him to draft legislation or get involved in any way possible to re-regulate the cable industry. He wanted the letter to include reference to the Town's general disappointment over the recently announced rate increases and asked that the Media One chief executive be copied. The motion was seconded and unanimously approved.

- M. McCall said that he had observed alcohol on the shelves at Foodee's on Drum Hill Road but that the store appeared to be shut down. B. Lynch said that he would look into this.

- M. McCall voiced his concern about LRTA bus routes in the Town. Oftentimes people who get on the bus in Chelmsford to travel to another part of the Town have to go to Lowell before reaching their destination in Chelmsford. B. Lynch said that he would talk to the LRTA people about this.

- S. Weisfeldt said that on April 15, 1998, the Sewer Commission of the Town of Chelmsford was selected to receive a zero-interest loan from the State Department of Environmental Protection in the amount of $4.576 million for the East Chelmsford Lateral Sewers Contract 97-4 (Ref. Memo from John P. Emerson dated April 23, 1998).

- S. Weisfeldt said that fill was being dumped at the McCarthy field and that in the fall the fill would be used to level the field. Next spring the field will be seeded and, once restoration is completed, will be used for women's softball games.

- S. Weisfeldt asked B. Lynch if the Town has been receiving test results from Glenview Sand and Gravel. B. Lynch said that the Town has not received any test results since completion of the first phase of the project. Now that the second phase is about to begin, testing will resume.

- W. Dalton said that he has noticed that many vehicles entering and leaving Glenview Sand and Gravel are not marked with their capacity level as they should be. B. Lynch said that he would follow up on this.

- P. Eliopoulos asked that the Town monitor the number of trucks going to Glenview Sand and Gravel in an hour's timeframe since he has reason to believe that the agreed-upon limit is being exceeded.

- W. Dalton asked about the status of the double pole issue. B. Lynch said that all utilities had been notified of the Town's bylaw regarding double poles and advised that the bylaw would be enforced. W. Dalton then asked if utility company representatives could be asked to

attend a BOS meeting to talk more about the Town's position relative to double poles. B. Lynch suggested that they be invited to the BOS meeting on June 15.

- In response to W. Dalton's question as to the status of tax classification, B. Lynch said that he would do a presentation on this subject at the June 1 work session.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

Attachment (1)

cc: Town Clerk
Finance Committee
School Committee

BOS Meeting Minutes
May 11, 1998
Page 9

Attachment

I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held May 11, 1998, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

VOTED:

(1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $7,228,434 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote of the Town passed April 24, 1989 (Article 8), for construction of sewers and other water pollution control facilities (the "Project");

(2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $7,228,434;

(3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price of not less than the principal amount of the Bond or Note, less the Town's allocated share of the costs of issuance of the Trust's bonds;

(4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;

(5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

(6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement and the Project Regulatory Agreement relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Note were

taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: _____, 1998

_____
Clerk of the Board of Selectmen

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ST. CLAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
June 1, 1998

A work session of the Board of Selectmen was held on June 1, 1998, at the Chelmsford Country Club, 66 Park Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

ONE-DAY AUCTION PERMIT

In a letter dated May 19, 1998, James R. Banyas, Jr., requested a one-day auction permit for June 4, 1998, for the purpose of selling collectibles and antiques at the Chelmsford Elks on June 4, 1998. He included a copy of his Massachusetts State Auctioneer License, which expires May 6, 1999.

S. Weisfeldt motioned to grant James R. Banyas, Jr., a one-day auction permit as requested for June 4, 1998, such function to be held at the Chelmsford Elks on Route 110 in Chelmsford between the hours of 3:00 p.m. and approximately 10:30 p.m. P. Eliopoulos seconded the motion, which was subsequently approved by all Board members.

GOALS

B. Lynch had prepared and distributed a multi-year goal and initiative summary (FY92-FY97) for the selectmen's review outlining those projects that have been completed and/or are still ongoing, those that are underway, and those that are pending.

T. Moran emphasized the need to improve communication in the police and fire stations relative to the police/fire computerization goal. He indicated that inadequate communication existing within these facilities often results in delayed response time during emergency situations.

W. Dalton requested that the BOS meet with Dr. Moser to discuss the town/school cooperation goal that was set in FY95, the status of which is still ongoing.

B. Lynch pointed out that some goals will always be ongoing, such as the service delivery system. In addition, the geographic information system was targeted as an area warranting more focus.

S. Weisfeldt asked if the Town Manager was receiving any feedback from the community newsletter that Holly Rice from the Recreation Department distributes. B. Lynch said that he does receive some feedback from the newsletter and also from the citizen complaint forms.

S. Weisfeldt then suggested that a constituent survey be conducted to assess the town's management performance. B. Lynch suggested working with other communities to assemble best practices in various areas so as to gauge how Chelmsford measures up to other municipalities. He also stated that Town management had accomplished a great deal in terms of performance assessments over the last several years.

FY98

B. Lynch said that last year he and the selectmen focused on five goals. Taxes were the number one priority, and in many ways the action items relating to taxes have been achieved.

With reference to alternative revenues, S. Weisfeldt asked for a list of current fees. To clarify this request, B. Lynch asked if he meant a list of what the Town charges for its various services and the legal maximum amounts that can be charged for any given service. S. Weisfeldt confirmed that this was the information he was requesting.

W. Dalton asked for the most current financial statement from Sterling Golf, the management firm that runs the Chelmsford Country Club.

With respect to economic development, B. Lynch said that the Town continues to focus on making economic development happen.

B. Lynch said that he thought public safety would be the best area to study for the next performance assessment. P. Eliopoulos asked if it would be a good idea to do a public safety assessment prior to completion of the new police station. B. Lynch said that the disruption caused by construction of the new station would have no effect on a performance assessment study.

On the quality of life initiatives subject, T. Moran mentioned that there was a need for more sidewalks in certain areas of the community. For example, a person can't walk from Summer Street to the library, and there are a lot of elderly in the Summer Street area. T. Moran concluded by saying that the Town needs to build more sidewalks to improve the quality of life in Chelmsford.

S. Weisfeldt asked B. Lynch to look into maintenance of Varney Park to make sure that it is being adequately maintained, particularly in light of recent additional staffing in the Department of Public Works.

B. Lynch confirmed that the Governor did sign the Tully Forum legislation; however, the acquisition will not be official until the lease is drawn up. Town Counsel is currently working on this.

T. Moran suggested dedicating money from tax classification and revenues from the new hotel toward revitalization of the Center. He proposed doing this by taking some of the tax money generated from local businesses and putting it back into the business community by enhancing the business district. B. Lynch answered that changing tax classification doesn't equate to any

gain in tax revenues. He said that the Town has applied for $.5 million for enhancement projects in addition to $1.3 million for beautification plans.

T. Moran suggested that N. Chelmsford be included in the beautification plans. For example, he would like to see the addition of park benches, litter barrels, plantings, etc. B. Lynch said that in the work he has done thus far toward beautification of the Center, he has included Vinal Square.

W. Dalton asked B. Lynch to have two dead arborvitae removed from Vinal Square.

T. Moran asked about the possibility of forming two committees, which would include people from the business district, for the Center project. It was his feeling that the business community was getting nervous because there are so many projects going on (e.g., Center Revitalization, Bike Trail, Signalization), and community business owners have not been involved in the implementation of any of these projects. Again, he emphasized the need to focus on devising a way to put business tax revenues back into the business arena.

FY99 Goals Proposed by Town Manager

B. Lynch then proposed the following goals for FY99:

1. Tax Relief

   B. Lynch mentioned that there had been some talk in the Town about doing the capital budget in the fall when the numbers are more precise. The operational budget, however, has to be done in the spring.

   The school budget has been going up by about 6 percent, whereas the rest of the departmental budgets have been increasing by only about 4 percent. Despite the 6 percent budget increase, enrollment in the school system has only been increasing by about 2 percent.

   T. Moran said that people with the most valuable properties should pay the highest taxes.

   In response to P. Eliopoulos' comment about the numerous large projects going on, B. Lynch responded that fueling the reserves is of primary importance even in light of all the big projects underway.

2. Central Square and Vinal Square Improvements

3. Public Facility Projects (Library, Police Station and Center School)

4. Tully Forum

   B. Lynch said that a Request for Proposal would be prepared for management of the forum. The idea of bringing in a general manager and staff as employees of the town was being considered. This arrangement would give the town more flexibility and control over the operation of the forum and would enable the Town to maximize revenues. Another option

would be to contract out for various functions, such as refrigeration, ice maintenance, scheduling, etc. Both options were being explored. S. Weisfeldt suggested that B. Lynch research how other communities with a similar arrangement have their forums managed.

5. Performance Effectiveness Issues (performance analysis, operational reviews, etc.)

   As mentioned previously, B. Lynch said that performance of the public safety division should be analyzed next.

6. Affordable Housing

   T. Moran said that affordable housing records should be managed on a central database. B. Lynch remarked that the state-mandated affordable housing programs create an administrative burden on municipalities.

   W. Dalton emphasized the need to secure more housing for the elderly to reduce the excessively long waiting list. He said that the waiting list for elderly housing is five years and sometimes longer. W. Dalton also indicated a need for more subsidized housing like McFarlin and Delaney Terrace.

   T. Moran suggested that the BOS meet with the Chelmsford Housing Authority (CHA) to discuss the elderly housing waiting list. B. Lynch responded that the BOS had tried several times in the past to meet with Dave Hedison but without success. P. Eliopoulos asked that the CHA be invited to a meeting to do a presentation on the elderly housing process because he frequently is asked about it. B. Lynch said that it would be best to invite Dave Hedison to the July BOS meeting because the June meeting was already full.

7. Promote Open Space

   T. Moran brought up the idea of designing an inventory pamphlet of all the places that people can visit in Chelmsford. He would like to promote tourism and expressed the need for this type of literature to do so. W. Dalton said that Town Meeting had voted down the use of some hotel tax monies to promote the community. T. Moran said that tourism would generate more tax money for the Town. P. Eliopoulos mentioned that the EDP has a promotional pamphlet that might be used as a starting point in designing literature to advertise the Town. B. Lynch said that before generating any promotional literature, it would be best to research the Town's tourism potential. This could be achieved by hiring someone to conduct a study. M. McCall said that the Town doesn't have a basic reference brochure to put in public places and that it was his belief that such a brochure might attract people to the retail areas.

<u>Selectmen's Goals</u>

P. Eliopoulos suggested that the Town call upon the EDP to spur economic development. In his opinion, now would be the perfect time to change the EDP focus to zero in on enhancing Central Square and promoting retail growth.

M. McCall presented the idea of using Chelmsford Cable TV as a means of promoting the Town. Coverage of how the Town operates, how people's taxes are working, what type of work is being done in the different departments, how the Town government works, and the amenities of the Chelmsford golf course were subjects that he suggested could be covered by Cable TV.

The five goal priorities were then set as follows:

1. Tax Relief
2. Central Square
3. Elderly Housing
4. Public Facility Projects
5. Tully Forum Operation

Freeman Bike Trail

B. Lynch, referring to a handout he had prepared entitled "Freeman Bike Trail Issues/Modification Requests," discussed the modifications to the original plans that he believed could be accomplished. Comments relating to the handout were as follows:

With respect to reducing the paved width from 12 feet to 10 feet, M. McCall said that this reduction would cause congestion. He said that the Minuteman Trail was mostly 12 feet in width and that this was the optimum width for a bike path.

W. Dalton asked about the people on New Fletcher Street. He was concerned that by cutting down trees to make way for the bike trail, the area residents would lose their sound barrier from Interstate 495.

M. McCall asked where the chain-link fence would be installed. B. Lynch said he would check into this to see if it could be moved in closer to the trail. M. McCall then inquired as to how long it would take the State to build the path before the screening is put up. He thought it would be best to coordinate construction of the bike path with the screening project to reduce the amount of time that abutters would lose their privacy.

B. Lynch said he would talk with Jim Pearson about putting in a flashing light at the Hart Pond intersection. In addition, he would propose increasing safety fencing at the Hart Pond area. B. Lynch also suggested the addition of path markings to alert trail users of upcoming intersections.

M. McCall pointed out the need for sanitary facilities on the Westford line, and T. Moran voiced his concern about putting out trash barrels to reduce litter along the path. P. Eliopoulos said that specific plans should be developed to ensure intersection safety, to control and police litter, and to deal with parking. He suggested that current litter fines be analyzed and possibly raised and that warning signs be posted along the trail to discourage litterbugs. P. Eliopoulos then asked B. Lynch to look into the current litter rules and fines for the next meeting.

W. Dalton asked B. Lynch to set up a meeting with the State to discuss the above-referenced issues prior to the 25 percent design hearing. By doing this, the State would be better prepared to address the Town's concerns at the hearing. B. Lynch responded that he could send a letter to the State outlining the Town's concerns so that the bike trail officials at the State level would be aware of these concerns before the 25 percent meeting. He cautioned that the State might not be responsive to each and every concern raised by the Town.

W. Dalton motioned to send a letter to the State requesting a meeting with bike trail officials before the 25 percent hearing on June 23, 1998, the letter to include Chelmsford's concerns relative to the trail. The motion was seconded by P. Eliopoulos and unanimously approved.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

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BOARD OF SELECTMEN MEETING MINUTES
June 15, 1998

A meeting of the Board of Selectmen was held on June 15, 1998, in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. (Stuart G. Weisfeldt, who was out of town on vacation, was absent.) Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

OPEN SESSION

Greater Lowell Boy Scout Council Benefit Performance

Susan Julian Gates announced that the Greater Lowell Boy Scout Council would be sponsoring a musical review to raise money toward the $88,000 goal needed to revive the Council's financial stability. The review, entitled "A Tribute to Walt Disney," would be performed by The Lowell Highland Players at the Lowell Memorial Auditorium on June 28, 1998, at 7:30 p.m.

Senator Susan Fargo

Sen. Susan Fargo presented an update on the budget. Highlights of the $19.5 billion budget include an increase in local aid for Chapter 70 funding. The Senate passed a tax bill, which is presently with the conference committee and should be completed by July 31, 1998. Sen. Fargo believes the budget will provide more training for unskilled laborers and thus increase the labor market in Massachusetts, which currently has a shortage of skilled workers.

Passage of the Route 3 expansion bill appears imminent, and the project should now move forward at a faster pace. She said that she is a strong supporter of the bill because it will facilitate movement throughout the community and that she will work hard to make sure that the expansion project happens on time.

In response to W. Dalton's question about funding for traffic lights, Sen. Fargo said that $360,000 was included in the transportation bond bill. She then distributed to the Selectmen copies of the testimony she delivered at the hearing of the Joint Committee of Transportation on Route 3 Expansion, dated May 28, 1998.

Next, Sen. Fargo talked about legislation on a management program to deal with plants that are taking over waterways and handed out to the Selectmen a legislation report entitled "How Exotic Aquatic Plants are Destroying our Waterways."

P. Eliopoulos asked about a bill to have the State fund regionalized schooling, and Sen. Fargo said that this was one of her top priorities and that monetary provisions to make this happen were included in the budget.

Walter Hedlund—Town Celebrations Committee

Walter Hedlund discussed the status of the Annual Fourth of July Celebrations and asked the Selectmen if they would march in the parade.

As an aside, M. McCall asked W. Hedlund about the emergency management system. W. Hedlund replied that it was no longer operational, and B. Lynch then said that he would work on this and get back to the Board with a report in the summer.

Library Endowment Committee—Betty McCarthy

Betty McCarthy, Chairman of the Library Endowment Committee, announced the Committee's recent effort to launch a capital campaign to raise money to furnish the library after construction is completed. The Committee's goal is to raise $500,000 without having to go back to Town Meeting for additional funding. There is now $100,000 in the endowment fund plus pledges for an additional $75,000. She said the Town has waited 100 years to build this type of library and that she doesn't want the end result to be a cut-rate facility, but rather something the Town can be proud of. The Endowment Committee is planning numerous activities for fund-raising purposes within the next year. Anyone interested in donating to the Endowment Fund can contact Mary Mahoney at the library.

Jim Gifford—Spirit of Freedom Committee

Jim Gifford announced that on June 27, 1998, at 6:30 p.m. the Alumni Showcase Remember When Drum and Bugle Corps would be playing at the high school stadium. There would also be a parade of the U.S. Marine Drum and Bugle Corps at 1:00 on the same day in N. Chelmsford. Tickets to the Alumni Showcase can be purchased at Taylor Rental or at the gate on the evening of the performance.

Glenn Thoren

Glen Thoren announced that his employer, Lockheed, Martin and Sanders, had donated $1,000 to the Arts and Technology Fund, and he challenged other area businesses to contribute likewise. These funds are used to implement projects in the school system that are separate from and not financed by the public school budget. He then presented the $1,000 check to W. Dalton.

Evelyn Thoren

Evelyn Thoren, Chairman of the Arts and Technology Fund, wanted to thank everyone who contributed to the 1998-1999 fund program. Four applications for Arts and Technology funding were awarded:

1. Christine Morassey, Westlands School, was awarded $500 to be used in the development of a listening resource center.

2. Brenda O'Brien, Byam School, was awarded $500 for the implementation of a science discovery center.

3. Sue Jambeck, Charter School, was awarded $500 to initiate an Art Emersion Day.

4. Dr. Richard Hentz, McCarthy School, was awarded $500 to be used in the implementation of an ethics library.

CHARLES MANSFIELD—LOANS

In the absence of Charles Mansfield, Pauline Marry, BankBoston, N.A., advised the Selectmen that the Town had done some short-term borrowing for the sewer and library projects at an average rate of 3.8 percent.

P. Eliopoulos made a motion to allow the Finance Director to obtain a $1,000,000 Bond Anticipation Note for sewer purposes, dated June 26, 1998, and due April 22, 1999. The motion was seconded by T. Moran and unanimously approved.

P. Eliopoulos made a motion to allow the Finance Director to obtain a $1,000,000 Bond Anticipation Note for library purposes, dated June 26, 1998, and due June 25, 1999. The motion was seconded by T. Moran and unanimously approved.

SCHEDULED BUSINESS

Public Hearing on Revocation of License—R.G.B. Corp. d.b.a. Foodee's

B. Lynch said that the owner of Foodee's had been advised that the Board of Selectmen intended to revoke the store's license. P. Eliopoulos made a motion, which was seconded by T. Moran, to revoke the license of R.G.B. Corp. d.b.a. Foodee's. M. McCall asked if the alcohol on the premises would be removed immediately, and B. Lynch answered that it would. The motion was then unanimously approved.

Public Hearing on Revocation of Class III Auto Dealers License—North Chelmsford Auto Parts

B. Lynch provided pictures, which had been taken on this same day, to the Selectmen showing the condition of the fence on Sleeper Street surrounding North Chelmsford Auto Parts. He then read a letter from Building Inspector Tony Zagzoug relative to a call that T. Zagzoug had received from Paul Dunton of 7 Sleeper Street. Mr. Dunton called to complain that the fence was still in disrepair although it was supposed to be fixed by April 1, 1998, as stipulated in the license renewal granted by the BOS on December 12, 1997. B. Lynch concluded that since conditions of the license had not been met, his recommendation was to revoke the license.

Philip D'Angelo, son of North Chelmsford Auto Parts owner Charles D'Angelo, took the stand. He said that the fence, which is made out of corrugated metal, is not down anywhere and that the property is secure. He was then shown the aforementioned pictures that were taken at 10:00 a.m. on this same day.

B. Lynch said that the fence constitutes a safety hazard and that it was supposed to be repaired by April. W. Dalton said that this has been an ongoing problem. P. D'Angelo said that there are steel beams holding up the fence in certain areas. W. Dalton told P. D'Angelo that the last time the Board met with Charles D'Angelo, it was agreed that the fence would be taken care of. He also reminded Mr. D'Angelo that the Board of Selectmen is the licensing authority.

P. D'Angelo said that any decisions regarding the fence would have to be made by his father, who was not present at the hearing. He said that the fence had been worked on many times over the past six months and that he would need a couple of more months to complete repairs. He cited a rash of bad weather in the early spring for delaying attempts to make these repairs.

Paul Dutton, owner of 7 and 9 Sleeper Street, was present at the meeting. He said that the shabby condition of the fence lowers the value of his properties.

Alex Davies, General Manager of North Chelmsford Auto Parts, next took the stand. He said that he has receipts showing that repair work has been done to the fence. He also mentioned that Chelmsford police reports would show that the Auto Parts property had been broken into and damaged from these break-ins a number of times. He agreed that the fence was not in as good a condition as it could be and said that he would be willing to work with the building inspector to make the fence amenable to the neighbors. He then agreed to put some people to work on making repairs as soon as possible.

P. Eliopoulos said that judging by the construction of the fence and the materials it is made out of, it would seem impossible to stay on top of keeping it in good condition. A. Davies said it would cost too much to put up a new one at this time. The construction of the fence does not allow for the passage of air and other elements, which then bend and push at the fence walls.

T. Moran voiced his concern about children possibly getting through gaps in the fence.

P. Eliopoulos made a motion to close the public hearing. T. Moran seconded the motion and all voted in favor.

M. McCall then asked when the last time was that someone worked on the fence. A. Davies said that after the pictures were taken the gaps were closed up.

W. Dalton said that at this time he doesn't support a revocation of the license. He suggested that A. Davies come back before the Board in a month with a plan for installing a totally new fencing structure. He suggested that A. Davies work with the building inspector on this plan.

B. Lynch recommended to the Board that the matter be continued at the July meeting. In the meantime, A. Davies can work with Tony Zagzoug to draw up a plan to replace the fence. P.

Eliopoulos made a motion to this effect, which was seconded by T. Moran and unanimously approved.

Public Hearing on Change in Description of Premises on Common Victualer License—Dunkin' Donuts

Joseph Shanahan, the attorney representing Adie-Conway, Inc., which owns and operates the Dunkin' Donuts facility at 105 Chelmsford Street, was present at the hearing. He said that the Adie family purchased the Dunkin' Donuts franchise on Chelmsford Street 30 years ago. Today the franchise is owned by Donald and Thomas Adie along with their brother-in-law Andrew Conway in what is now called Adie-Conway Enterprises.

Mr. Shanahan asked that the Board amend the description on the facility's common victualer license to allow the owners to make substantial alterations to the premises. Adie-Conway has now purchased the land on which the building sits along with an additional 20,000 square feet of land behind the building, The franchise owners are proposing to build a new facility behind the old one and then raze the existing building. The building design would be similar to the Dunkin' Donuts on Rte. 38 in Tewksbury.

W. Dalton then asked if anyone would like to speak either in favor or against these proposed changes. With no response, P. Eliopoulos motioned to close the public hearing. The motion was seconded by T. Moran and a discussion ensued.

T. Moran said that the Dunkin' Donuts in Tewksbury was a very attractive facility. M. McCall asked about how the new facility might affect traffic on Rte. 110. J. Shanahan answered that public safety would be enhanced in that the facility would be brought up to current Planning Board standards.

J. Shanahan said that he had notified abutters and forwarded return receipt cards to J. Lefebvre. He then stated that all of the abutting homes are at least 100 feet away from the site.

P. Eliopoulos said that a new building would be much more attractive and would enhance the landscaping on Rte. 110. M. McCall agreed. W. Dalton said that if the Board of Selectmen were to accept this change of description, it would be contingent upon the Planning Board approving the plans.

P. Eliopoulos then made a motion to amend the description of the Dunkin' Donuts facility at 105 Chelmsford Street, owned and operated by Adie-Conway Enterprises, conditional upon the Planning Board approving said changes. The motion was seconded by T. Moran and unanimously approved by all Board members.

Wellman Avenue

Joseph Shanahan said that he had been retained by the Lighthouse School, Inc., Courier Corporation, the Trustees of Williamsburg Condominium Nos. I and II, and other owners of certain properties on Wellman Avenue to address a street maintenance issue relative to Wellman Avenue.

Mr. Shanahan said that after the Williamsburg Condominium project was completed, the Town of Chelmsford approved Wellman Avenue--from Tyngsboro Road to the condo buildings--as a public way at the 1974 Town Meeting. This past fall, however, there was an urgent need to upgrade the roadway. Feeling pressed for time, his clients took it upon themselves to make the necessary repairs at a cost of just under $10,000.

It is his clients' position that when the Town of Chelmsford accepted Wellman Avenue as a public road, it inherently assumed responsibility for the roadway's maintenance, including the railroad crossing. He then asked that the Town acknowledge the 1974 vote to accept Wellman Avenue as a public way, that the Town reimburse his clients for all or part of the cost incurred as a result of recent repairs made at the railroad crossing, and that the Town assume responsibility for any and all future repairs to the roadway.

P. Eliopoulos asked J. Shanahan for copies of the agreements that predate the 1974 Town Meeting vote, and J. Shanahan agreed to send the documents to him. P. Eliopoulos also reminded Mr. Shanahan that his May 15, 1998, letter sent to William Dalton made no mention of the Town reimbursing Mr. Shanahan's Wellman Avenue clients. J. Shanahan said that his clients were looking to be reimbursed for only a portion of the expense ($8,000) and that they were not seeking reimbursement for expenses incurred in past years.

B. Lynch recommended that the Board obtain a legal opinion on the matter from Town Counsel. Subsequently, P. Eliopoulos made a motion to have Town Counsel research the Town's responsibility regarding maintenance of Wellman Avenue prior to the July BOS meeting. T. Moran seconded the motion, which was then unanimously approved.

Petition for Pole and Wire Locations—Massachusetts Electric Company (Plan No. B-762)

Charles Sancranti from Massachusetts Electric was present to represent the utility company on this petition. B. Lynch recommended that the Board heed Jim Pearson's recommendation relative to this petition, this recommendation being that the utility poles be carefully placed since in the immediate vicinity there is a bank of underground conduits and wires and also an electrical junction box for the nearby traffic control system.

P. Eliopoulos made a motion to approve the petition provided that the Massachusetts Electric Company adhere to Jim Pearson's recommendation. M. McCall seconded the motion, which was then unanimously approved.

Petition for Underground Conduit Locations—Bell Atlantic (Plan No. 950)

Joseph Gleason, Right of Way Manager for Bell Atlantic, took the stand to represent Bell Atlantic for this and the remaining utility petitions. He said that Bell Atlantic had received conditional approval from the Conservation Commission regarding this petition pending results of the conduit locations' proximity to surrounding wetlands. P. Eliopoulos motioned to close the public hearing. T. Moran seconded the motion, which was then unanimously approved.

P. Eliopoulos asked Mr. Gleason if he had obtained the necessary permits from the Massachusetts Highway Department and J. Gleason said that he had.

P. Eliopoulos then made a motion to approve the underground conduit petition with the understanding that a permit had already been obtained from the Massachusetts Highway Department since Littleton Road is within its jurisdiction. T. Moran seconded the motion, which was subsequently approved by all.

Petition for Placing Additional Facilities on Existing Poles—Bell Atlantic (Plan No. 949)

P. Eliopoulos made a motion to close the public hearing. The motion was seconded by T. Moran and unanimously approved. P. Eliopoulos then made a motion to approve the petition to place additional facilities on existing poles as outlined in Plan No. 949. The motion was seconded by T. Moran and unanimously approved.

Petition for Joint or Identical Pole Locations—Bell Atlantic (Plan No. 942)

Joseph Gleason said that a survey done by a new property owner on Mill Road revealed that some utility poles were placed on his property. Bell Atlantic wants to move these poles into the public way but will need to place two additional poles on the opposite side of the street in order to do this. Herb Marcus asked if Bell Atlantic was going to install a supporting guy wire. J. Gleason answered that he was not an engineer and was therefore unable to answer an engineering question.

P. Eliopoulos made a motion to close the public hearing. The motion was seconded by T. Moran and unanimously approved by the BOS.

B. Lynch, referring to the June 10, 1998, memo from Jim Pearson, recommended that permission to install new poles be granted only after the poles on Davis Road are moved. The Town has been having trouble getting Bell Atlantic to move the poles, which have been located on the paved surface ever since the road was widened. For the past two years the position of these poles has been posing a safety hazard to drivers.

J. Gleason said that a representative from Bell Atlantic would be meeting with B. Lynch tomorrow about these types of issues and asked if there were other utilities using these poles. B. Lynch said that there were but that the other utilities can't move their apparatus until Bell Atlantic first moves the poles. This means that there will have to be double poles until all utilities are able to make the switch.

T. Moran emphasized that the poles on Davis Road are really dangerous, now more than ever because of sewer construction in the area. B. Lynch said he would be meeting with Kathy Frazier to discuss the double pole bylaw and that Marian Currier would be following up with representatives from Bell Atlantic on a weekly basis until the double pole issue is resolved. He further stated that he would be working with Kathy Frazier about depressing utilities in Central Square.

P. Eliopoulos then made a motion to approve the above-referenced petition subject to the poles on Davis Road being moved first and contingent upon the poles being relocated outside of the existing gas main as recommended by Jim Pearson. T. Moran seconded the motion, which was then unanimously approved.

License Application for Automatic Amusement Devices—Country Club Too, Inc.

Dave Cunha, manager of Country Club USA at 67 Parkhurst Road in Chelmsford, said that he would like to install amusement devices in the main room to occupy people who are waiting to play pool or who are not interested in playing pool. He felt that these types of devices would help with crowd control. He was applying for 12 Automatic Amusement Device Licenses.

P. Eliopoulos made a motion to close the public hearing, which was seconded by T. Moran and unanimously approved.

T. Moran said that he had gone to Country Club Too on several occasions and that he had no problems with granting these licenses. P. Eliopoulos said that he likes the way the club has been set up and that he thinks the addition of automatic amusement devices would be a good idea. W. Dalton also expressed his approval and said that S. Weisfeldt had mentioned that he would vote in favor of granting these licenses if he were at the meeting.

P. Eliopoulos made a combined motion to approve granting 12 Automatic Amusement Licenses to Country Club USA, located at 67 Parkhurst Road in Chelmsford. The motion was seconded by T. Moran and unanimously approved.

B. Lynch requested that the licensing paperwork be revised to correct the name of the entity from Country Club Too to Country Club USA. Dave Cunha agreed to do this.

TOWN MANAGER CONTRACT AWARDS

Bid for Police/Fire Work Boat

B. Lynch said that Town Meeting had approved the purchase of a police/fire boat to be used in the Merrimack River. Only one bid for $22,453.60 was received, and he recommended awarding the contract to the company that had submitted this bid. The company, which is owned by Robert Trout, is called Inflatablexperts and is located at 200 High Point Avenue in Portsmouth, RI.

P. Eliopoulos asked Chief Armand Caron, who was present at the meeting, if he was satisfied with the bid. Chief Caron said that he though the Inflatablexperts bid met the specifications exactly. He explained that the boat would be used by both the Police and Fire Departments for rescue and recovery purposes, and the two departments would coordinate efforts in the event of an emergency situation on the river.

P. Eliopoulos made a motion to endorse the Town Manager's award for the police/fire boat to Inflatablexperts for the amount of $22,453.60. The motion was seconded by T. Moran and a discussion ensued.

B. Lynch said that he believed the boat would be ready in approximately 45 days. Chief Caron said there might be a delay in that a suitable engine to power the boat had not yet been found. In the meantime, Chelmsford would still have to rely on Lowell's water emergency rescue equipment.

In response to M. McCall's inquiry, Chief Caron said that the plan is to use the boat to patrol the waters on Fridays, Saturdays and Sundays. In the event of an emergency during the remaining weekdays, two cruisers were equipped with hitches to transport the boat to the river.

The above-referenced motion to endorse the Town Manager's contract award to Inflatablexperts for $22,453.60 was then unanimously approved.

Cooperative Bid for Vehicle Gasoline and Diesel Fuel

B. Lynch said that the bid for vehicle gasoline and diesel fuel goes out annually. Chelmsford coordinates with other communities for this bid because it is less expensive to purchase gasoline and diesel fuel in larger amounts. He recommended awarding the contract to the low bidder, Global Petroleum Corp., located at 800 South Street in Waltham, Massachusetts.

P. Eliopoulos motioned to endorse the Town Manager's contract award for vehicle gasoline and diesel fuel to Global Petroleum Corp. The motion was seconded by T. Moran and unanimously approved.

Land Bids

Two parcels of Town-owned land went up for bid and two bids were received from abutters to the individual properties. Results were as follows:

- Map 66 Lot 69 on Third/Fourth Avenue: Mark Swanbeck submitted a bid for $4,200.
- Map 66 Lots 3 and 4 on Willis Drive: Leo Clermont submitted a bid for $3,601.

B. Lynch recommended awarding sale of these properties to the above-referenced bidders.

P. Eliopoulos motioned to endorse the Town Manager's land sale award to Mark Swanbeck and Leo Clermont for the amounts defined above. The motion was seconded by T. Moran and subsequently approved by all.

TOWN MANAGER REPORTS

Wet Weather

Despite receiving 8 inches of rain over the weekend with another 4 inches anticipated over the next two days, the Town fared rather well. Referencing a memo from Jim Pearson dated June 15, 1998, he read off the names of the streets where an inch or two of water had settled over the surface. Although drainage pipes were flowing as they should, they were not sized for the massive amount of rain the area was receiving. Three streets (Billerica Road, Brentwood Road and Ansie Road) experienced temporary localized flooding due to blocked catch basin inlets or broken pipes that would be repaired as necessary.

Both the boat launch on the Merrimack River and the golf course were temporarily closed due to flooding conditions but were expected to reopen soon. The new pipe at Longview performed very well: despite all the recent rainfall, the pipe was only half full.

Library

The library project was slightly stalled due to wet conditions, but it won't be long before the construction phase will begin.

Police Station

The Conservation Commission and Planning Board will be reviewing the police station project plans for site approval.

Center School

Construction efforts at the Center School are moving forward, and B. Lynch believes that the grass has been mowed and that the party responsible for maintaining it in the future has been determined.

Police Station

In response to P. Eliopoulos' question about the optimum time to put the police station project out to bid, B. Lynch said that it would be best to get the bid package out in the early- to mid-fall (probably November) because this is the time when contractors begin to line up their business for the next construction season.

Senior Tax Rebate Program

Chelmsford was on the cutting edge when it instituted the senior tax rebate program. However, other communities, in attempts to implement similar programs, have succeeded in making the program more complex, and now the IRS is claiming that rebates from the program constitute taxable income. Legislation has been initiated to amend the IRS code to exclude this type of

income, which cannot exceed $500, from taxation. B. Lynch asked the Board to go on record in support of this legislation.

P. Eliopoulos suggested that until legislation is passed, the Town provide assistance to senior citizens who are too discouraged by the IRS code to enter into the program. B. Lynch said he would follow up on this.

P. Eliopoulos motioned to support the legislation to exempt the senior tax rebate program from taxation on the Federal, State and Municipal level. T. Moran asked if Chelmsford's support could be demonstrated by sending a letter to Marty Meehan expressing Chelmsford's eagerness to have this legislation passed, and B. Lynch answered in the affirmative. The motion was then seconded by T. Moran and followed by a unanimous vote in favor.

Tully Forum

Legislation on the Tully Forum has passed and B. Lynch was now working on getting the lease agreement finalized. The Request for Proposal for management of the forum should be out tomorrow or the next day. The RFP will be sent to the six companies who have requested it. The goal is to decide on a management plan by the end of July so the forum will be up and running by the end of August. In answer to P. Eliopoulos' question, B. Lynch said that he would look into how revenue from the forum might be used to offset taxes in the Town.

Route 3

B. Lynch said that he had had a meeting today with representatives from communities along the Rte. 3 corridor, which this Board has gone on record as supporting. This project is a priority for the surrounding communities and area representatives want to have maximum participation so that adequate local control is present throughout the project's implementation. All Town/City Managers who were present at the meeting had obtained support from their Boards/Councilors. He then said that he would keep the Board up to date on the progress of this project.

Parkhurst and Dalton Road Intersection

It was confirmed by all that the Parkhurst and Dalton Road Intersection is quite dangerous. B. Lynch reminded the Board that Sen. Susan Fargo had mentioned during her presentation that she was looking into obtaining money from the transportation bond issue to address the situation.

Police Department Grants

B. Lynch said that he had applied for two grants for the Police Station:

- A GIS Mapping Grant in the amount of $4,700, which would be used to track crime trends.
- A Referse 911 Grant in the amount of $23,050, which would allow for hundreds of voice-recorded phone calls to be made to specific geographical areas in a brief period of time to alert residents of an emergency situation, such as an approaching tornado.

Cultural Council

The Cultural Council is now accepting applications for its grant program. The application deadline is October 15, 1998. The Council is also sponsoring another photography contest.

Scheduled Meetings

The State bike trail hearing is next Tuesday, June 23, at 7:00 p.m. at the Senior Center. The Board will now hold its next regular meeting before the State hearing since the previously scheduled BOS meeting of June 29 conflicts with another event in Town that the Town Manager and some of the Selectmen will be attending.

Bike Trail Meeting with State Representatives

B. Lynch said that he and W. Dalton had a productive meeting with the State to discuss Chelmsford's concerns relative to the bike trail. The State agreed to reduce the width of the path from 12 feet to 10 feet so that there would be a 2-foot shoulder on each side. The State also agreed to increase the amount of screening and safety fencing and will consider grooved pavement to alert trail users of upcoming intersections. The State will also consider installing a flashing light at the Golden Cove Road intersection and putting up privacy fencing before constructing the trail. The State was also amenable to the possibility of keeping the trail as far from abutter property as possible, although there might be some problems in accomplishing this because of wetlands. The State representatives said they would do whatever they could to respond positively to Chelmsford's concerns relative to construction of the bike trail and agreed to put the items discussed at the meeting in writing.

APPROVAL OF MINUTES FROM PREVIOUS BOS MEETINGS

P. Eliopoulos motioned to approve minutes from the following BOS meetings:

- April 9, 1998 (regular and executive)
- April 13, 1998 (regular and executive)
- April 27, 1998 (regular)
- April 30, 1998 (regular and executive)
- May 27, 1998 (public hearing)

T. Moran seconded the motion, which was then unanimously approved.

UNSCHEDULED BUSINESS

Application for One-day Liquor License—Ss. Vartanantz Armenian Church

P. Eliopoulos made a motion to approve a one-day liquor license for Ss. Vartanantz Church for July 11, 1998, for a wedding reception. M. McCall asked what the limit was on one-day liquor

licenses, and B. Lynch said he believed it was 30 in a 12-month roll. T. Moran seconded the motion, which was then unanimously approved.

All Alcohol License—Bo-Mar-Fig

B. Lynch asked the Board if discussions on the All Alcohol License of Bo-Mar-Fig could be continued till the next BOS meeting on June 23. P. Eliopoulos made a motion to continue discussions till that time. The motion was seconded by T. Moran and then unanimously approved.

SELECTMEN REPORTS/REFERRALS

Summer Street

T. Moran said that a Summer Street resident had recently approached him about the lack of sidewalks on Summer Street. T. Moran asked B. Lynch to make sidewalks on Summer Street a priority, particularly where this project would tie in with the Center revitalization plans. W. Dalton confirmed that this should be a priority because residents from the assisted living facility on Summer Street will want to walk to the library once it is completed.

B. Lynch said that he would work with Jim Pearson on this. He would need to find out where this project is prioritized on the sidewalk list. In addition, he believed that putting sidewalks on Summer Street might involve some land taking, which would have to go to Town Meeting for approval, and that some engineering would be involved to determine what side of the street the sidewalk should go on. He stated that at this time the focus is on ensuring that there is adequate sidewalk coverage around the schools. Following this, the focus of the sidewalk project will be on the business district. In conclusion, B. Lynch said he would follow up with a memo to Jim Pearson prior to the July 20 BOS meeting.

Vinal Square/Center

T. Moran asked about what was being done to enhance Vinal Square, such as putting out benches, litter barrels, planters, and pedestrian crossing signs and if the Historic District had to approve these types of undertakings. B. Lynch said he did not believe the Historic District would have to be involved in these projects.

W. Dalton then asked if flowers could be planted over by the Mobile Station and mentioned that the street in that area needed to be swept.

T. Moran said that people are driving at up to 50 m.p.h through the Center. B. Lynch said he has instructed the police to enforce the parking laws in both centers because people are violating the parking time limits. He said he thinks the police could also monitor speed and stop sign violations. M. McCall suggested that the police also monitor handicap parking violations.

Other topics discussed during the Selecemen Reports/Referrals portion of the meeting were as follows:

- T. Moran said that he had attended the recent Apollo groundbreaking for the company's $10 million office complex. He said that some people at the groundbreaking wanted to know what was going on in Chelmsford and that he thought some pamphlets about the Town should be printed. B. Lynch said that he was looking into doing this. He reminded T. Moran that this was one of the issues raised at the goal setting meeting on June 1 and that P. Eliopoulos had suggested using the EDP brochure as a starting point to develop some promotional literature about the Town.

- T. Moran also mentioned that he had attended a Tae Kwon Do demonstration to benefit the McCarthy playground and had also gone to the Chelmsford High School graduation, which he described as "wonderful."

- P. Eliopoulos said that he had also attended the Chelmsford High School graduation for the Class of 1998.

- P. Eliopoulos said that since the resignation of Mary Jo Griffin from the Nashoba School Committee, there has been a vacancy. He asked that candidates for the Committee be invited to a joint meeting with the School Committee in July to present their reasons for wanting to be appointed to the Committee. Then, as the new BOS policy outlines, the Board of Selectmen and the School Committee would take time to consider the credentials of the candidates before making an appointment at the following BOS meeting.

  W. Dalton suggested leaving the vacancy open until it expires. P. Eliopoulos said that if one of the alternate representatives misses a meeting, Chelmsford loses a vote. W. Dalton then asked B. Lynch to check with Town Counsel as to whether or not the vacancy could be left open till it expires. B. Lynch said that he would check with the School Committee to see if the members would be available for the June 23 meeting so that the BOS and School Committee can jointly decide on how to handle the situation.

- P. Eliopoulos asked about the status of having the Chelmsford Housing Authority in for a meeting to discuss elderly housing. B. Lynch answered that he was trying to have a Housing Authority representative in for the meeting on July 20. He also mentioned that Andrew Sheehan was working with Dave Hedison to develop a way to monitor affordable housing in the Town.

- P. Eliopoulos asked about the status of liquor license, open space and littering regulations. B. Lynch said he is anticipating a report from the police on these regulations in the near future.

- M. McCall mentioned that he had attended the after-prom breakfast and that it was nice to see so many kids opting to go to this function, which was organized to help steer the graduates away from celebrating in an irresponsible manner.

- M. McCall raised his concern about flooding. He said that some catch basins in Town were not functioning properly. He predicted that the Town would again have problems with beavers and that some residents had already experienced flooding because of them. He further stated that he had talked with other boards about devising a proactive response to beaver problems, such as obtaining some type of open-ended permit from the State.

  B. Lynch said that he was looking into areas that are prone to having beaver problems and working with some wildlife experts to find alternative methods to deal with the beaver situation. He said that it is not likely that the Town could obtain a blanket permit from the State but that he would analyze the situation more closely in conjunction with some of the other boards.

- W. Dalton wanted to publicly congratulate all the students who graduated from Chelmsford High School since he was unable to attend the Sunday graduation ceremony due to a previous commitment.

- W. Dalton asked B. Lynch about the status of the BOS goals, and B. Lynch answered that he would probably have something together by the June 23 meeting or at least by the beginning of July.

- B. Dalton requested that B. Lynch set up a meeting that the two could attend with Jack Hanley from the Chelmsford Gift Shop to talk about parking in the Center. B. Lynch said that some engineering work would have to be done relative to Center parking and that he was working on this.

- W. Dalton said he would like to meet with Bob Greenwood to resolve the water problem. B. Lynch said that even though some people think the property was dry up until two years ago, the fact of the matter is that water has been flowing through it for the last 40 years. He said it would cost the Town $30,000 to put in a culvert to redirect the water and that this could not be done without an easement.

  T. Moran said that he had recently talked to Bob Greenwood about the problem and that he was confident that something could be done to resolve the issue and satisfy everyone without having to obtain an easement.

P. Eliopoulos then made a motion for the BOS to go into executive session to discuss litigation. T. Moran seconded the motion and a roll call vote in favor proceeded as follows: WFD—Aye, PME—Aye, TEM—Aye, and MFM—Aye.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

Town Clerk

RECEIVED
1998 SEP 17 AM 9:26

BOARD OF SELECTMEN MEETING MINUTES
20 July 1998

A regular meeting of the Board of Selectmen was held on 20 July 1998 in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Julie Lefebvre, Executive Secretary, was present.

PUBLIC SERVICE ANNOUNCEMENTS

Award of Appreciation

S. Weisfeldt presented an Award of Appreciation to Robert Monaco, member of the Council on Aging for six years. Mr. Monaco was on hand to accept the award. Another award was then presented posthumously to Verne Woodward, who served for ten years on the Council on Aging. Marty Walsh was present to accept the award on behalf of the Woodward family.

OPEN SESSION

Bill Griffin, 132 Tyngsboro Road

Bill Griffin asked if the town in conjunction with the state could look into the traffic light situation at Vinal Square. He said that someone is going to get seriously hurt at the intersection primarily because of the left lane yield on green signs, which believes is causing some confusion for motorists. He also pointed out that the town is spending money to have a patrol officer direct traffic at the intersection on a regular basis. B. Lynch said he would have the Police Department and DPW evaluate the situation.

Bill Griffin then asked if the town could put reflective markings at the intersection of Mill Road and Rte. 129 to alert drivers as to when the roads change from double to single lanes. He said the reflective markings are needed due to a low level of light in the area. B. Lynch said that he believed that this intersection is under the jurisdiction of the state but that he would look into it further.

Next, Mr. Griffin asked that the BOS get actively involved in bringing Linear Technologies to Chelmsford. It was his belief that this "world-class company" would significantly benefit the

town. B. Lynch mentioned that he has contacted the Chairman of the Planning Board several times and that the Planning Board is doing everything it can to make this happen.

Joyce Johnson, Friends of Southwell Park

Joyce Johnson, President of Friends of Southwell Park, announced that the Septemberfest is scheduled for September 13. As part of this event, Ms. Johnson invited the Town Manager and Board of Selectmen to play softball on that day. Anyone interested in playing softball at the Septemberfest should contact Barry Balan (men) or Mary St. Hilaire (women). In addition, Joyce Johnson announced that a golf tournament was scheduled for September 28.

Jane Spence and Dave Cavalier, Williamsburg Condominiums

On behalf of the residents of Williamsburg Condominiums, Dave Cavalier (President of the Board of Trustees) and Jane Spence wanted to thank the police, ambulance service and fire department for their response to the train derailment of July 17 that blocked both entrances to the condominium for a span of time.

Dave Cavalier then told the Board that the condo association had asked several times in the past to have a mock disaster drill with town emergency personnel and railroad staff. It was his feeling that the knowledge gained by such a drill would lesson the anxiety that residents experienced over the train derailment should a similar incident happen again. W. Dalton responded by saying that he would try to coordinate at least one mock disaster drill in conjunction with the railroad company to educate people who live near the railroad on the subject of trains. B. Lynch said that town officials had met with Williamsburg residents following the derailment to discuss their concerns. Based on this meeting both the fire and police chiefs drafted a plan to use as a guideline in the event of a future mishap on the railroad.

JOINT MEETING OF THE BOARD OF SELECTMEN AND SCHOOL COMMITTEE

A joint meeting of the BOS and School Committee was held to give both boards a chance to listen to and evaluate candidates for the Nashoba Valley Technical High School Committee. Present from the School Committee for this meeting were Judith Mallette, Anthony Volpe, Mary Jo Griffin and Evelyn Thoran. (Mary Frantz was absent.) Superintendent Richard Moser was also present.

Anthony Volpe asked if he could make some opening comments prior to asking the candidates to come forward. Mr. Volpe questioned the necessity of filling the vacancy in the middle of the summer particularly when there are only eight months left to the term. In addition, he pointed out that the vacancy was currently being filled by Sam Poulten. He said that he had not seen Mary Jo Griffin's resignation, which was supposed to have been sent to the School Committee. He further stated that he was unsure as to whether the position they were seeking to fill was that of a member or an alternate. P. Eliopoulos answered that because Sam Poulton is temporarily filling in as a member, the town is presently short an alternate seat. The vacancy they are interviewing for, however, is the member seat vacated by Mary Jo Griffin. Technically, Sam Poulten is an alternate.

B. Lynch said that Mary Jo Griffin's letter was directed to him. He believed that Phil was correct in that the full member vacancy created by Mary Jo Griffin's resignation was the position that needed to be filled. If after the nomination an alternate is needed, the two boards will have to meet again to interview and select someone for the position. He said that he would forward Mary Jo Griffin's resignation letter to the Town Clerk and the Moderator.

A. Volpe stressed that the procedure as detailed in the District Agreement must be followed.

The following candidates then came forward to make their presentations and to be interviewed by the BOS and School Committee:

Stratos Dukakis, 10 Galloway Road

Stratos Dukakis, who had served on the Nashoba Committee previously for 28 years, said that his goal as a member would be to see more Chelmsford students going to Nashoba. In order to increase Chelmsford's enrollment, more marketing would have to be done. In addition, it was his belief that school system administrators should do more by way of encouraging Chelmsford students to attend Nashoba. He also emphasized his prior experience as a committee member as a reason why he would be an outstanding candidate for the position.

Samuel Poulten, 16 Berkeley Drive

Samual Poulten, who has served on the Nashoba School Committee since 1992 as both an alternate and a regular member at different times, said that he has been involved in education for over 26 years. He said that his goals are consistent with those of the community and that his expertise is in policy making. When asked by Judy Mallette what he thought the goal of Nashoba should be, he answered that the goal should be to create "life-long learners."

Ralph J. Hulslander, Jr., 74 Smith Street

Ralph Hulslander, a Town Meeting Representative (Precinct 8), has been on the Advisory Committee for the Sheetmetal Program at Nashoba since the mid-70s. He said that he deals with tradespeople on a regular basis through his work as a salesperson. He said that students at Nashoba get the best of both worlds because they obtain not only an academic education but a trade as well.

Walter Toney, 5 Muriel Road

Mr. Toney taught at Nashoba from 1968-1985 and now teaches at Middlesex Community College. He feels that Nashoba should revert back to the house building program because it helps people learn how to work together. He said that we are not getting the quality tradespeople that we got years back because we are pushing students to go to college. He believes his experience in a vocational education setting would make him an outstanding candidate for the Nashoba seat and stressed the importance of "instruction" in developing tradespeople.

Evangelos T. Lekas, 11 Erlin Road

Evangelos Lekas, a Town Meeting Representative (Precinct 6) and Ayer District Court employee, said that his experience in the human services industry makes him a strong candidate for the Nashoba vacancy. He would like to have the opportunity to study and assess the needs of the region and ensure that students at Nashoba receive a solid academic education that prepares them for college in addition to their vocational training. His goal on the Nashoba School Committee would be to eliminate the negative stereotyping that goes along with attending a vocational school and to emphasize the importance of a vocational education.

Deborah Linnehan, 255 North Road

Deborah Linnehan, a school guidance counselor, said that her goal if appointed would be to provide good communication between the Town of Chelmsford and Nashoba. She also mentioned that it was her intention to build more awareness in the community as to what Nashoba has to offer and to promote Nashoba as an alternate choice rather than a second choice.

W. Dalton then suggested that a decision be made as to when the BOS and School Committee could meet again to appoint one of the candidates to the Nashoba School Committee. Judy Mallette said that they could meet at the next School Committee meeting on July 28. W. Dalton said that the BOS would discuss this later in the evening and get back to the School Committee with an answer.

SCHEDULED BUSINESS

Public Hearing on Application for Change in Officers, Directors and Shareholders under All Alcohol License—Bertucci's Brick Oven Pizzeria

Jeffrey Cramer, the attorney representing Chris Kane (Manager of Bertucci's) was present at the public hearing. Since New England Restaurant, Inc., acquired Bertucci's, the restaurant chain has established new directors, shareholders and officers. As a result, the legal licenses now have to be changed to reflect the new names.

Since no one came forward to speak either in favor or against, S. Weisfeldt made a motion to close the public hearing. The motion was seconded by P. Eliopoulos and unanimously approved.

S. Weisfeldt then made a motion to transfer the licenses held by Bertucci's Brick Oven Pizzeria to reflect the change in officers, directors and shareholders that resulted when the company was recently acquired by New England Restaurant Company, Inc. P. Eliopoulos seconded the motion, which was subsequently approved by all.

Public Hearing on Application for a Common Victualer License—Togo's Eateries, Inc.

Grayland Cousins was present at the meeting to represent Togo's, a sandwich chain, which was established where the old Foodie's used to be located. Since no one came forward to speak

either in favor or against, S. Weisfeldt made a motion to close the public hearing. The motion was seconded by P. Eliopoulos and unanimously approved.

T. Moran asked Grayland Cousins what the shop's hours of operation would be, and Mr. Cousins said that as the application indicated Togo's would be open from 10:00 a.m.-11:00 p.m. Mr. Cousins then forwarded to J. Lefebvre return receipts to demonstrate that abutters had been notified about the public hearing.

S. Weisfeldt motioned to grant a Common Victualer License to Togo's Eateries, Inc., at 80 Drum Hill Road. The motion was seconded by P. Eliopoulos and unanimously approved.

Common Victualer License Change of Hours—Papa Gino's

Carlos Davis, Authorized Agent for Papa Gino's, Inc., was in attendance as was Dan Reynolds, Assistant Manager for Papa Gino's. Mr. Davis said that on behalf of Papa Gino's he was requesting a change to the hours of operation on the restaurant's common victualer license so the restaurant could open for breakfast at 6:00 a.m. seven days a week. However, he was not seeking any extension on Papa Gino's existing Wine/Malt License. Mr. Davis went on to say that opening for breakfast is a pilot program and that the program is being tested to see if it should be instituted at all stores.

W. Dalton said that he had a problem with Papa Gino's running a test operation before coming before the Board of Selectmen for approval. He said he had heard that the restaurant was already opening at 6:00 a.m. and serving breakfast and that it had been doing so since the first of July.

Mr. Davis said the restaurant management thought it best to do a trial run before going to the BOS for a change of hours of operation in case opening for breakfast didn't work out. He then apologized for not bringing the change of hours to the attention of the Selectmen earlier on. W. Dalton responded that he was surprised that a company as large as Papa Gino's would neglect to follow the proper procedure for obtaining an extension on its hours of operation.

Following this S. Weisfeldt motioned to allow Papa Gino's to extend the hours on its Common Victualer License to allow for a 6:00 a.m. breakfast opening seven days a week. P. Eliopoulos seconded and the motion was then unanimously approved.

North Chelmsford Auto Parts (continued from previous BOS meeting)

Philip D'Angelo came to the meeting to represent North Chelmsford Auto Parts, which is owned by his father Charles. He handed to the selectmen an estimate from Dependable Fence Co. on the cost of replacing the corrugated metal fence with chain link. He also handed the selectmen a letter saying that the fence around the property was secured and that the auto parts dealer could realistically replace the fence in 200-foot sections beginning with the section facing Tyngsboro Road. He said that it was his understanding that this was the information the selectmen had asked for at the previous meeting.

Mr. D'Angelo then stated that he was trying hard to get the yard in acceptable shape and that there are people working on it every day. He said that it was in the best interest of North

Chelmsford Auto Parts to have the yard secured because there are a lot valuables, though it may take a little time to get this done. He said that his father is ill and that the yard had been left to him in a mess. For this reason he asked the BOS for leniency and told the selectmen that they would be satisfied with the results.

W. Dalton said that some people from the town were at the North Chelmsford Auto Parts property at 3:00 p.m. on this day to take more pictures and asked if repairs had been made to the fence since that time. P. D'Angelo said that the fence really needs to be replaced. Every time there is a storm a section goes down.

W. Dalton then asked when Mr. D'Angelo would begin his plan to replace the fence in sections and he said he would start in the middle of August. W. Dalton then asked P. D'Angelo to confirm that the section facing Tyngsboro Road would be the first to be replaced. P. D'Angelo confirmed this and said that the next 200-foot section would be put up about a month and a half later. Additionally, he said he would like to have the project completed by the end of the year.

M. McCall mentioned that he had met with Alex Davies this morning and that Mr. Davies had said that the Sleeper Street section of the fence would be the first to be replaced. W. Dalton mentioned that North Chelmsford Auto Parts (Alex Davies) was supposed to be in touch with the Building Inspector prior to tonight's meeting and that this didn't happen. P. D'Angelo said he didn't realize that he was supposed to get in touch with Tony Zagzoug but that he would do so this week if necessary.

P. Eliopoulos asked if it was P. D'Angelo's intention to put privacy slats into the chain link fence and Mr. D'Angelo said there definitely would be privacy slats. T. Moran asked to see a written schedule of the fence replacement plan. He said he wanted the schedule to include a timeframe as to when the individual sections would be replaced and how much fence was going to be installed. He suggested that P. D'Angelo work with the Building Inspector to make sure North Chelmsford Auto Parts meets its deadline. P. D'Angelo said he would work out a schedule and call Tony Zagzoug tomorrow to make an appointment for him to review it.

W. Dalton said that Tony Zagzoug and John Coderre had been at North Chelmsford Auto Parts today and that at that time the yard was being cleaned up. He emphasized the need for the BOS to have a schedule to replace the fence put in writing. B. Lynch told P. D'Angelo to call him once he has a plan ready and the two can meet with the Building Inspector. W. Dalton then asked P. D'Angelo if he would call Tony Zagzoug tomorrow so as not to delay any longer and P. D'Angelo agreed to call him.

Pole Petitions—Bell Atlantic (New England Telephone and Telegraph Company)

B. Lynch said these petitions were not for new poles but just acceptances of poles that were placed during a subdivision construction project. The petitions are to confirm that the pole locations, which are now on public ways, are acceptable to the town. Jim Pearson, who was present at the meeting, said he had reviewed the petitions and did not have any problems with them.

S. Weisfeldt made a joint motion to approve pole/cable locations for the following streets:

- Technology Drive (Plan No. 943)
- Fisher Road (Plan Nos. 944 and 947)
- Empire Street (Plan Nos. 946 and 948)
- Meadowcrest Lane (Plan No. 945)

P. Eliopoulos seconded the motion, which was then unanimously approved by the BOS.

Davis Road

S. Weisfeldt said that he walked by Davis Road every day but still had not seen Bell Atlantic doing any work to move the poles. B. Lynch said that Marian Currier had been working on this issue with Kathy Frazier and that work to move the poles on Davis Road was scheduled to begin in August.

APPROVAL OF MINUTES

S. Weisfeldt made a motion to approve the minutes from the following BOS meetings:

- May 11 (regular)
- June 1 (regular and executive)
- June 23 (regular)

The motion was seconded by P. Eliopoulos and unanimously approved.

P. Eliopoulos then made a motion to approve the minutes from the following meeting:

- June 15 (regular and executive)

The motion was seconded by T. Moran and unanimously approved.

TOWN MANAGER REPORTS

Central Square Report

B. Lynch said that Jim Pearson and Andy Sheehan were at tonight's meeting to talk about the Central Square improvement plan. In addition, representatives from the engineering firm hired by the town to work on the project--Vanasse Hangen Brustlin, Inc. (VHB)—were also present.

Jim Pearson talked about the twenty-five percent plan for the traffic changes. He will be presenting this plan at a 25 percent hearing with Massachusetts Highway Department officials in September. (A 25 percent hearing is a requirement for state funding for this project.) The plan includes major traffic improvements, the creation of more recreational space, and an increase in municipal parking spots. Town officials working on the plan hope to attract people to the Center

for shopping and recreational purposes and in so doing draw more businesses to the area, such as novelty stores and restaurants. At this time the Center is more of a thoroughfare than a place to stop and even as such it is malfunctioning. Improvements will include the installation of traffic lights, street reconfigurations, sidewalk installations, streetlight and other aesthetic enhancements and the underground depression of utilities. The traffic project is expected to go out to bid early next year, and it is anticipated that construction will begin next construction season (around March 1999).

A. Sheehan said he had applied for $688,800 under an enhancement funding program that would provide the town with the money necessary to accomplish its goal to revitalize the Center. The proposed project budget is broken down into cement concrete sidewalks/crosswalks, landscaping, ornamental signal poles and mast arms, and ornamental street lighting. This funding is tied in with the traffic improvements.

Bernard Lynch said that Jack Handley from the Chelmsford Gift Shop had offered to turn some property over to the town for municipal parking, and a plan to increase the number of municipal parking spaces using this land should be finalized within the next month or so. In addition, he said that business owners in the Center are interested in enhancing their properties to tie in with the Center project. He then asked the BOS for a vote to demonstrate its continued support of the Center revitalization project.

S. Weisfeldt moved to support the 25 percent proposal for the Center project. The move was seconded by P. Eliopoulos and unanimously approved.

Public Facility Projects

The police station is in the design phase. Both the Conservation Commission and Planning Board are now involved in the project, and it is anticipated that the permitting will be in place in time for the bid to go out in November.

The library project is moving forward; however, a recent problem with the footing caused a delay and new footings had to be poured. M. McCall asked who was absorbing the cost for the extra footings, and B. Lynch said it would be absorbed by the contractor. The foundation walls would be going up soon.

Demolition at the Center School was moving along. An asbestos problem was discovered underneath some tiles, but this was being resolved by the contractor. B. Lynch said that the project continues to operate within budget and on schedule.

Financial Update

Bernard Lynch said that he doesn't yet have the final numbers from the June 30 closing of the books. However, he knows that revenues came in over projections and expenses came in under budget. The year will end on a positive note and very healthy free cash is expected. As soon as the numbers become available, he and the Board can meet to decide on how to allocate the free cash.

Chelmsford Housing Authority

A letter was sent to the Housing Authority asking if someone from the agency could attend tonight's meeting. The Board received a letter of response from David Hedison saying that no one would be able to attend due to a prior commitment. However, B. Lynch said that Andrew Sheehan was working with Dave Hedison to develop a database to track affordable housing units in the town.

Forum

A Request for Proposal for management of the forum had been issued and four companies had responded. One of the four proposals had to be disqualified because it was not in compliance with the RFP. The proposals were still being reviewed and B. Lynch would make a presentation on the proposals to the Board in the near future.

Emergency Management

At the last meeting a question about whether or not the town had a tornado warning system had been asked. In response to this, B. Lynch had met with Chief Parow, Chief Caron and Walter Hedlund. Chief Parow informed B. Lynch that a national weather radio alert system could be purchased on an individual basis at Radio Shack for about $80. This system is designed to alert people of an approaching tornado, thunderstorm, flash flood, etc.

W. Dalton asked if B. Lynch had looked into any community-wide emergency alert systems. B. Lynch said that a town-wide system would cost over $50,000. The Reverse 911 system, which will allow for hundreds of voice-recorded phone calls to be made to specific geographical areas in a brief period of time, will help to alert residents of an emergency situation. The siren system used years back causes too much confusion since it leaves people with no way of knowing what the emergency is.

Electricity Deregulation

Electricity deregulation will be on the ballot in November. The town is now taking advantage of the lower rates as the standard offering of Massachusetts Electric, but B. Lynch said he was exploring other options as well. He said he was looking at MUNENERGY, which is geared to the aggregate purchasing of electricity, in conjunction with Massachusetts Municipal Association (MMA). He was also looking into energy conservation programs.

Tree Hearing

Bernard Lynch said that a tree hearing for the Dalton Road/Stedman Street area was scheduled for Wednesday, July 29, at the Westlands School at 7:00. The town's objective is to keep to a minimum the number of trees that have to be removed for the sidewalk project. Hopefully work would be done on Stedman Street this fall and on Dalton Road next spring.

TOWN MANAGER APPOINTMENTS

Bernard Lynch said that he would like to appoint two people to the Council on Aging (Catherine Goodwin and Raymond Palmer) and one to the Cultural Council (Karen Connors).

S. Weisfeldt motioned to approve the Town Manager's appointment of Catherine Goodwin and Raymond Palmer to the Council on Aging. P. Eliopoulos seconded the motion, which was then unanimously approved.

S. Weisfeldt then motioned to approve the Town Manager's appointment of Karen Connors to the Cultural Council. The motion was seconded by P. Eliopoulos and unanimously approved.

M. McCall reminded B. Lynch that he was supposed to appoint Susan Gates to the Cable TV Advisory Commission, and B. Lynch acknowledged that this was correct.

S. Weisfeldt motioned to approve the Town Manager's appointment of Susan Gates to the Cable TV Advisory Commission. The motion was seconded by P. Eliopoulos and approved by all.

TOWN MANAGER CONTRACT AWARDS

Breathing Air Compressor

B. Lynch said that only one bid was received for the breathing air compressor but that Chief Parow hadn't expected to receive many due to the specialized nature of the equipment. Chief Parow also said that the bid meets the specifications outlined by the Fire Department. Based on the Fire Chief's recommendation, B. Lynch said he would like to make a contract award to United Fire Service, the only vendor to submit a bid.

S. Weisfeldt motioned to endorse the Town Manager's award of the breathing air compressor to United Fire Service of Somerville for $34,814.25. The motion was seconded by P. Eliopoulos and subsequently approved by all selectmen.

UNSCHEDULED BUSINESS

Application for Automatic Amusement License—Bainbridges Restaurant

B. Lynch said that Bainbridges had applied for an Automatic Amusement License so the restaurant could obtain a golf video game. Both the Building Inspector and Police Chief have reviewed the license application and recommend approval.

S. Weisfeldt motioned to approve granting an Automatic Amusement License to Stoney Brook Ventures d.b.a. Bainbridges Restaurant at 75 Princeton Street in North Chelmsford. The motion was seconded by P. Eliopoulos and unanimously approved.

SELECTMEN REPORTS/REFERRALS

- S. Moran announced that there would be a golf tournament on July 31 at the Chelmsford Country Club to benefit the Paul Center. Anyone interested could call 256-1818 to get a tee time.

- M. McCall mentioned that he had noticed a dilapidated house with broken windows on Sleeper Street and asked if anything could be done about it. B. Lynch said he would look into it.

- P. Eliopoulos asked B. Lynch about Mass Gravel. B. Lynch said he had met with representatives from Mass Gravel and that there were two checks representing a total payment of $80,000 en route to the town. With reference to testing, Richard Day had still not been able to set something up but now Jack Emerson had said that he himself would be setting up the Mass Gravel testing.

- On the bike trail subject, P. Eliopoulos said that there are facilities we can use for parking especially on the weekend. He suggested that B. Lynch look into this and draw up a list of potential parking areas such as schools, commercial building lots, etc. B. Lynch said he would look into the parking situation and work with Andy Sheehan to determine if there is any state money available for parking projects.

- P. Eliopoulos requested that a letter be sent to Sen. Fargo asking her to speed up the release of lottery appropriations.

- S. Weisfeldt said he was pleased with the response the town got to W. Dalton's letter to Marty Meehan of 5/20/98 in response to constituent complaints about Media One rate increases. M. Meehan, in turn, sent a letter to the Federal Communications Commission to relay the town's concerns.

- S. Weisfeldt said he was concerned about the tree on the Common because the bark was peeling. B. Lynch said he would look into it.

- P. Eliopoulos recommended that the town look into creating a skateboard park. B. Lynch said that Holly Rice had done some work on this and that liability was a big, but maybe not insurmountable, issue.

- With reference to Marty Meehan's 6/4/98 letter to William Kennard of the Federal Communications Commission, W. Dalton highlighted the section where Mr. Meehan says that "several communities in Massachusetts were recently notified that rates for expanded basic service will increase by up to 15 percent." He said he was concerned about this trend and that cable rates are going up faster than the rate of inflation.

- W. Dalton said that he had watched a rerun of one of the last BOS meetings and that the sound quality was terrible. B. Lynch said he would talk to the community cable company people to find out how the sound could be improved.

- W. Dalton said that there was a woman interested in purchasing the old fire house property on Main Street and asked what the status of the building was at this time. B. Lynch said that Pop Warner uses it for storage but that Jeff Stallard had recommended moving the equipment to anther site. Referencing a 7/20/98 letter from Cathy Hutchinson, W. Dalton mentioned that at the spring town meeting of 1995, the town representatives voted to sell this property. In addition, she said that the building was an eyesore. P. Eliopoulos then asked that the letter be answered and that something be done to improve the appearance of the building.

- S. Weisfeldt motioned to meet with the School Committee on July 28 at 7:30 p.m. at Chelmsford High School in Lecture Hall II to appoint a member to the Nashoba Valley Technical Committee to complete the unexpired term of Mary Jo Griffin. He then asked if the alternate position could be filled at the same time should it become vacant after the appointment. Judy Mallett said that the alternate position would have to be filled at a later date. Since some people are only interested in joining the committee as an alternate, the position would have to be advertised. P. Eliopoulos seconded the motion, which was then unanimously approved.

- B. Lynch said that town counsel was still doing research on the Wellman Avenue maintenance issue and that he would have something to report at the next meeting.

W. Dalton motioned to adjourn. The motion was seconded by P. Eliopoulos and unanimously approved.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

Town Clerk

RECEIVED
1998 SEP 30 PM 3:57
TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
31 August 1998

A regular meeting of the Board of Selectmen was held on 31 August 1998 in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Julie Lefebvre, Executive Secretary, was present.

OPEN SESSION

Elder Services of the Merrimack Valley—Gerry Proulx

Gerry Proulx announced that Elder Services of the Merrimack Valley was looking for volunteers to provide transportation to elders and handicapped people for medical appointments. He said that a donation of even three hours a month would be helpful. Anyone interested can call 1-888-437-0518.

Wellman Aveue—Williamsburg Condominiums

Three trustees from Williamsburg Condominiums were present at the meeting. On behalf of the trustees Chairman Jari Spence spoke about the Wellman Avenue maintenance issue raised at a previous BOS meeting. She said that 535 units pay approximately $1 million in taxes each year and asked that the BOS support the unit owners' position that maintenance of the Wellman Avenue railroad crossing should be the town's responsibility.

B. Lynch said that Atty. Sheehan had come before the Board of Selectmen asking that the town look into acceptance of the maintenance responsibility for the railroad crossing on Wellman Avenue. Town counsel researched the issue and, referencing a letter dated 8/31/98 from Judith C. Cutler of Kopelman and Paige, in counsel's opinion "it is the owners of the parcel originally deeded with the Easement, and their successors, who are responsible for the costs of maintaining and repairing the crossing under the terms of the Easement." In addition, it was town counsel's belief that "the portion of Wellman Avenue within the railroad crossing was never made public and is, therefore, not a Town responsibility." With reference to a 1974 Town Meeting vote to accept Wellman Avenue as a public way, town counsel determined that "there is no record of the Town ever having petitioned the County Commissioners with respect to authorization of the layout of a public way over the railroad tracks" and that "acceptance of Wellman Avenue as a public way did not alter the Easement terms with respect to maintenance responsibilities for the railroad crossing; nor did the acceptance result in the Town's assuming or sharing the private landowners' obligations under the Easement."

B. Lynch said that he had asked town counsel to do more research on the Wellman Avenue crossing because it is not clear how the town would go about accepting the railroad crossing now that the county government has been abolished. He also mentioned that the BOS on its own could not accept responsibility of the crossing but that the decision would have to go before Town Meeting. He said he should have more information from town counsel within the next couple of weeks and that the crossing maintenance issue would probably not be proposed on a warrant until the Spring Town Meeting since the article would not likely meet the Fall Town Meeting deadline.

UNSCHEDULED BUSINESS

One-day Liquor License—Ss. Vartanantz Armenian Church

W. Dalton asked if this license request was within the yearly maximum and B. Lynch said it was.

S. Weisfeldt motioned to accept granting a one-day liquor license to Ss. Vartanantz Armenian Church for 9/26/98 from 6:00 p.m.-12:00 a.m. P. Eliopoulis seconded the motion, which was then unanimously approved.

Halloween

B. Lynch said that he had asked the police for its recommendation as to when the town would celebrate Halloween and that Chief Armand Caron recommend that it be celebrated on the day itself (Saturday, 31 October 1998) in the best interest of public safety. By celebrating Halloween on the actual day, motorists would be aware that there are children about, and Chelmsford residents would not be bothered by out-of-town trick-or-treaters.

S. Weisfeldt motioned to have the Town of Chelmsford celebrate Halloween on 10/31/98 during the hours of 5:00 p.m.-8:00 p.m. The motion was seconded by P. Eliopoulos and unanimously approved.

Purchase of Sand and Gravel

B. Lynch asked if the selectmen would vote to proceed with the sand and gravel land acquisition for $250,000, which would be paid in ten $25,000 increments over a two-year period beginning in FY2000. A vote to proceed would involve the selectmen signing the purchase and sales agreement and the selectmen chairman and town treasurer signing the promissory notes. W. Dalton suggested that the selectmen give conditional approval pending town counsel's satisfactory clearance of the title and acknowledgement that the seller's property taxes are current.

S. Weisfeldt motioned to approve the town proceeding with the sand and gravel land acquisition as detailed above pending title clearance on the property and conditional upon the seller's property taxes being current. P. Eliopoulos seconded the motion, which was

then unanimously approved.

B. Lynch said the closing would take place within the next couple of weeks and that the deed on the land would be handed over to the town at that time.

SCHEDULED BUSINESS

Dutch Uncles d/b/a Crunches—Transfer of All Alcohol Common Victualer License

Paul Bouchard, manager of the establishment, and his attorney, Margaret Reilly, were present for the public hearing to transfer the referenced license from the Courthouse to Dutch Uncles. W. Dalton asked Mr. Bouchard how many hours he himself would regularly spend at the restaurant, and he said he would be there whenever the restaurant was open for business or at least 40 hours a week.

W. Dalton then asked if there was anyone who wanted to speak either in favor or against granting the license transfer to Dutch Uncles. Since there was no response S. Weisfeldt motioned to close the public hearing. P. Eliopoulos seconded the motion, which was unanimously approved.

In response to P. Eliopoulos' inquires as to whether or not the business was current on its taxes, B. Lynch said that the license transfer should be made conditional upon taxes being up to date. T. Moran asked if the establishment was ADA acceptable. B. Lynch said it didn't have an elevator but that a license at this establishment has been in existence for a number of years despite this. T. Moran said that it was not his intention to recommend any major changes but that the business should be looked at from an ADA standpoint. W. Dalton said that Ralph Hickey, ADA Coordinator, had already been inside the building.

B. Lynch asked what kind of food would be served, and Paul Bouchard said that although Crunches would not have a full kitchen, sandwiches, soup and pizza would be available. B. Lynch asked P. Bouchard about his experience in the liquor industry. Mr. Bouchard said he had about five years, one year with Crunches and several years of experience in ordering and inventory. B. Lynch then asked P. Bouchard if he had ever undergone training, and Mr. Bouchard said that he and all of his employees were TIP certified.

S. Weisfeldt motioned to transfer the All Alcohol Common Victualer License from The Courthouse Health and Wellness Center to Dutch Uncles d/b/a Crunches at 5 Courthouse Lane from the hours of 8:00 a.m.-2:00 a.m. on weekdays and 12:00 p.m.-1:00 a.m. on Sundays provided property taxes are current. P. Eliopoulos seconded the motion, which was subsequently approved by all selectmen.

Country Club Too, Inc.—Alteration of Premises under All Alcohol License

W. Dalton announced that he had been renting space from the owner of this establishment and had therefore sought town counsel's opinion as to whether or not this would constitute a conflict of interest. Town counsel said that W. Dalton's association with this business owner was not significant enough to represent a conflict.

Dave Cunha, owner and operator of Country Club Too, was present at the hearing. He said his intention was to expand the premises of the club into Units 5 and 6 at 67 Parkhurst Plaza, which would involve the addition of a second entrance off the street in front of the building at Unit 6. He said this second entrance was necessary for the convenience of his patrons. The expanded establishment would hold over 200 people and would include a larger bar and function capabilities.

W. Dalton asked about the hours of operation, and Dave Cunha said they would remain the same, 8:00 a.m.-1:00 a.m. Sunday through Thursday and 8:00 a.m.-2:00 a.m. Friday and Saturday. W. Dalton then asked if there was anyone present who would like to speak in favor or against the proposed alteration of premises. With no response S. Weisfeldt moved to close the public hearing, which was seconded by P. Eliopoulos and unanimously approved.

T. Moran commented on the establishment's effective security system, and D. Cunha said that the system was already in place in Unit 6 and would be implemented in Unit 5 as well. Mr. Cunha said that seating at the proposed bar had been scaled down from 24 seats to 16 in response to concerns raised by Chief Armand Caron. B. Lynch said that he too shares Chief Caron's reservations with reference to the separate entrance from the street and mentioned that most establishments in town have only one access point. D. Cunha said that Jimmy's IV and the Banqueteer have several entrances as do hotels. B. Lynch then asked if the addition would be used for banquets or for the lounge, and D. Cunha said it would be used for both.

P. Eliopoulos mentioned that people, including those under the drinking age, could try to access the bar from the banquet area, and D. Cunha answered that either he himself or a trained employee would be there to watch for this type of activity. In addition, D. Cunha said there was a monitor on the stairwell. M. McCall said he had looked at other banquet facilities and noticed that others also had separate entrances.

S. Weisfeldt motioned to grant an alteration of premises under the All Alcohol License held by Country Club II, 67 Parkhurst Road, such establishment to hold 200+ patrons, with the stipulation that there be no more than 16 seats at the bar. The motion was seconded by P. Eliopoulos. S. Weisfeldt suggested that the selectmen get a second opinion from the Chief, but W. Dalton said to wait to see the outcome of the vote first. The motion was then unanimously approved.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

W. Dalton said that he had received a request to defer approval of minutes from the 7/20/98 and 7/28/98 meetings until the next BOS meeting.

TOWN MANAGER REPORTS

Construction Update

B. Lynch, who had spoken to Bob Cruickshank earlier in the day, reported that the Center School project was proceeding on schedule. The police station project was also moving forward and should go out for bid in October or November. Library construction, however, was at a standstill due to problems that arose with the shoring when the contractor encountered rock. The town was working with the contractor on this issue, which was expected to be resolved within the next couple of weeks. Some foundation work was also reportedly taking place. Although the contractor was being held to the original schedule, the steel framing that was supposed to be in by early September wouldn't be installed until sometime in the fall.

T. Moran asked if the cost to build the library would change as a result of the shoring problem, and B. Lynch said it was the town's position that any additional cost would be borne by the contractor.

Central Square

B. Lynch reported that the Central Square enhancement project was moving along. He said he had met with the utility company about depression of the square's utilities and that the 25 percent hearing with the state on traffic improvements was in the works. He said he expected the municipal parking aspect of the project to go to town meeting in the fall. The town was also contemplating doing a market study to draw retail business to the square. In addition, he said the trash barrels would be put out in the middle of September. In response to T. Moran's question about the sidewalk, B. Lynch said it would be installed next summer in conjunction with the paving of Summer Street. T. Moran then asked about putting more streetlights on Summer Street, and B. Lynch said he had already spoken to the utility company about putting in two more. M. McCall suggested that the town consider installing period lighting and other enhancements on Rte. 110 coming into the center.

Vinal Square Intersection

Referencing a memo from James Pearson dated 8/28/98 in which he reported on a recent evaluation of the traffic signal system at Vinal Square, B. Lynch said that the lights were functioning properly and that the number of vehicular accidents in the past 20 months had decreased since a study was done at that intersection between 1988-1992 prior to the installation of traffic signals. The town will be talking to representatives from the

Massachusetts Highway Department about the striping, which is badly worn away in many places. New striping will provide both parking spaces and safety features.

SCHEDULED BUSINESS (Continued)

Fresh Chow Chinese Restaurant—Common Victualer License

Bob McArthur, owner of 14 Chelmsford Street, stated that his tenant was seeking to obtain a license for a Chinese restaurant she was planning to open. He said he had already received permission from both the Fire Department and the building inspector.

W. Dalton asked if anyone would like to speak either in favor or against Bob McArthur's proposal and one abutter, Brad Emerson, came forward. Mr. Emerson voiced his concern about preserving the integrity of the neighborhood since 14 Chelmsford Street was within the historic district. He asked that any restaurant signs be approved by the Historic District Commission prior to being displayed. Additionally, he indicated that a drainage problem in the 14 Chelmsford Street parking lot causes water problems in his abutting parking lot during heavy rainfall. Mr. McArthur said he would be happy to comply with Mr. Emerson's request to have signs approved by the Historic District Commission and that he would be willing to work with Mr. Emerson to resolve the drainage problem.

S. Weisfeldt motioned to close the public hearing, and P. Eliopoulos seconded the motion, which was then unanimously approved.

T. Moran asked B. McArthur about the restaurant's seating capacity (24 seats) versus the number of parking spaces for patrons. According to B. McArthur the building inspector said the establishment would have to have at least 24 parking spaces and there were 27. T. Moran also asked about traffic signs directing patrons to drive up one way and down the other. Mr. McArthur confirmed that there would be exterior signs and roadway markings to direct traffic. T. Moran then asked if there were any plans to allow parking in front of the building, and B. McArthur said he was aware that this would cause problems with the ADA. B. Lynch then emphasized that parking in front of the building would cause significant traffic problems and suggested that landscaping be established in a way that would eliminate on-street parking. As an added benefit he indicated that landscaping would improve the appearance of the property.

T. Moran suggested that the selectmen make any license approval contingent upon there being no on-street parking allowed. B. McArthur agreed to work on this issue with his tenants. M. McCall asked if there were any handicapped parking spaces, and B. McArthur said that although he hadn't met with ADA representatives yet, the restaurant would have to be in compliance with ADA requirements before the building inspector would issue an occupancy permit.

W. Dalton then asked the restaurant owner, previously identified by B. McArthur as Rose, if she had any experience in the restaurant business. She answered that her

husband, who was also present, had been in the restaurant business for ten years and that she herself owns two other businesses.

S. Weisfeldt motioned to grant a Common Victualer License to the owner(s) of the Fresh Chow Chinese Restaurant, having a seating capacity of 24 and hours of operation determined to be from 11:00 a.m.-10:00 p.m. on weekdays and 2:00 p.m.-10:00 p.m. on Sundays, with the stipulation that there be no on-street parking in front of the establishment and that the premises meet ADA requirements. P. Eliopoulos seconded the motion, which was then unanimously approved.

Jim Gervais Sales, Inc.—Location Transfer of Class II Automotive Dealers License

Jim Gervais, owner of Jim Gervais Sales, Inc., at 113 Tyngsboro Road in Chelmsford, was present at the meeting to request a transfer of his Class II Automotive Dealers License to 9 Princeton Street. B. Lynch suggested that Paul McGovern, owner of the 9 Princeton Street property, speak with the Board first with reference to amending his Class II Automotive Dealers License in order to allow Jim Gervais use of the property.

McGovern's Automotive—Location Amendment to Class II Automotive Dealers License

Paul McGovern, owner of McGovern's Automotive, was present at the meeting to obtain BOS approval to change his business address from 1-9 Princeton Street to One Princeton Street so that he could lease space at 9 Princeton Street to Jim Gervais Sales, Inc.

W. Dalton asked if anyone would like to speak either in favor or against this proposed licensing change. With no response S. Weisfeldt motioned to close the public hearing. The motion was seconded by P. Eliopoulos and unanimously approved.

In response to T. Moran's question, B. Lynch said that there is currently a Class II Automotive Dealer's License owned by Paul McGovern at 1-9 Princeton Street. Mr. McGovern wants to lease a portion of the property to Jim Gervais. Jim Gervais' current license is restricted to 21 vehicles. Paul McGovern has no restrictions on the number of cars he can store on his lot, and the building inspector is concerned about this.

P. McGovern said he operates on a small scale because he is semi-retired; however, he said he wanted to avoid putting a restriction on the number of vehicles his lot can hold. B. Lynch said that both he and the building inspector want a plan based on how many vehicles the lot can accommodate because of a concern that too many cars will be stored there at any given time.

P. McGovern said he would be more amenable to a restriction if the limit on the number of cars it imposed could be modified later should the needs of the business change. He further stated that he keeps only about 10-15 cars on the lot at a time and that Jim Gervais had a 21-car restriction at the Tyngsboro Road location. T. Moran emphasized that the selectmen need to know how many cars will fit on the lot. After P. McGovern said that his 10 cars plus an additional 21 would not be too much for the lot, B. Lynch insisted that

P. McGovern provide the selectmen with a plan at which time Mr. McGovern handed out a rough sketch of the lot. Jim Gervais said he had already moved 55 cars to the location last week but that he has only 40+ there now and that the number of cars he stores fluctuates from day to day because of car auctions. Again, B. Lynch insisted on obtaining a plan approved by the building inspector prior to the September 14 meeting at which time the public hearing could be continued.

S. Weisfeldt motioned to postpone the Jim Gervais, Inc., and McGovern's Automotive public hearings until a plan detailing the number of vehicles that can be parked in the lot is developed and approved by the building inspector. P. Eliopoulos seconded the motion, which was then unanimously approved.

UNSCHEDULED BUSINESS (Continued)

Proposed Traffic Improvements—Concord Road and Hazen Street

James Pearson was present at the meeting to introduce the above-referenced traffic improvements to the selectmen. He said that because of a new subdivision that has been proposed for the Concord Road/Hazen Street area, the town has a unique opportunity to make some significant traffic improvements at this location, which was the scene of a fatal automobile accident a year ago. Improvements would include traffic markings, curbing, and the relocation of a resident's driveway. In answer to P. Eliopoulos' question, J. Pearson said the owner of the driveway had agreed to having it relocated.

J. Pearson said that because of a shortage of time in which to make a decision, the Traffic and Safety Committee had not evaluated the area under discussion; however, the Police Traffic and Safety Division and the Fire Chief were in favor. He then explained that he was seeking the Board's support to move forward toward a final plan that would result in construction at the intersection commencing in the spring. According to J. Pearson the builder had already received the support of the neighbors.

S. Weisfeldt motioned to support plans for traffic improvements at the Concord Road/Hazen Street intersection. The motion was seconded by P. Eliopoulos and unanimously approved.

Acton Road Sidewalk

As an aside W. Dalton asked J. Pearson what the timeframe was for installing a sidewalk on Acton Road and J. Pearson said he would have to look into it.

Proposed Zoning Bylaw Revision

Bob Morse (Chairman) and Andy Sheehan of the Master Plan Bylaw Review Committee were present at the meeting to present an overview to the selectmen of proposed changes to the Zoning Bylaws, which had been mailed out to the selectmen the previous week. The changes would later be presented to Town Meeting Representatives prior to Town

Meeting. Bob Morse said that the bylaws hadn't been revised for many years and that some sections were not in compliance with current state statutes. He indicated that a $25,000 grant obtained by Andy Sheehan was completely funding the bylaws revision.

Bob Morse said that members of the Master Plan Bylaw Review Committee include himself, Andy Sheehan, Susan Carter, Tracey Cody, and Eileen Duffy. In addition, Atty. Mark Bobrowski had been hired as a consultant to draft the Master Plan. A public hearing with the Planning Board to review the Plan was scheduled for September 9.

W. Dalton asked if the selectmen could have a copy of the existing bylaws so they could reference them when reviewing the changes. In addition, the Board members thought it would be most helpful to have the changes highlighted for Town Meeting so they could easily see exactly what was being changed should there be any questions.

TOWN MANAGER REPORTS (Continued)

Cable Service

B. Lynch said that he had contacted RCN, a telecommunications provider, and had had the opportunity to meet with RCN representatives, who expressed an interest in moving into the market in this area. The next step would be to issue an RFP if the Board is interested in doing so.

S. Weisfeldt motioned to approve issuing an RFP to invite cable services competition to the area. P. Eliopoulos seconded the motion, which was subsequently approved by all selectmen.

Deregulation of the Electric Industry

B. Lynch reported that town officials have been talking to a number of experts in the energy deregulation field, particularly MunEnergy (MMA). After reviewing the MunEnergy proposal for cut-rate electricity, street light acquisition and the energy savings program, B. Lynch recommended that the town move in this direction. He said he would provide the selectmen with more information on this subject at the September 14 work session.

B. Lynch said he expected utility costs to go down by about $100,000 a year. It would cost the town less to buy its own streetlights than to lease them from the electric company. There would be arrangements with local utilities, however, for streetlight maintenance. In addition, B. Lynch said he was also investigating aggregation with other business. In response to W. Dalton's comment about getting town residents lower electricity rates, B. Lynch responded that there doesn't seem to be a market for this as of yet although there is interest within the commercial/industrial community. P. Eliopoulos mentioned the need to work with competent utility providers so as to eliminate an interruption of services, and B. Lynch indicated that this was a major concern of his and one that was being studied.

State Aid for FY99

B. Lynch distributed a copy of the Fiscal 1999 Cherry Sheet Aid Analysis to the selectmen and highlighted the significant dollar increases over Fiscal 1998, which included funding for schools, lottery, veterans benefits and state-owned land. State funding for FY99 increased by $1,157,372 over FY98.

Assessments increased by a total of $5,756 due to increased charges by the state for mosquito control projects, air pollution programs and regional transit.

North Chelmsford Auto Parts

Installation of a new fence at this location is in progress. In addition, the building inspector has reported that he is working toward demolishing the dilapidated building on Sleeper Street.

The Chelmsford Forum

B. Lynch said he is still awaiting the forum lease from the state. Employees from the company that was awarded the management contract for the forum, Facility Management Corporation, is now onsite. In response to T. Moran's questions about the open house, B. Lynch said he had already spoken to the management company about this and that he was considering the possibility of holding the open house in conjunction with the Lockmonsters' exhibition game later in the month. B. Lynch also said he would talk to Peggy Dunn about holding a public skate at the forum as part of Winterfest activities in answer to W. Dalton's request.

Hart Pond

B. Lynch said he had spoken with some Hart Pond residents, Representative Carol Cleven as well as some people at the Department of Environmental Management (DEM) about grant programs to fund clean-up of Hart Pond, which has been covered by a green surface film. There was a similar situation at Freeman Lake some time ago. Grant applications for state funding to address this type of problem are due in December, and the town will have to compete with other communities for the money. It is expected that the state will ask for a management plan, which would be an expense to the town. One of the issues the state takes into consideration is level of public access. Although Freeman Lake has a public beach, Hart Pond is not accessible to the public, a factor that decreases the likelihood of Chelmsford receiving any grant money. B. Lynch indicated that he would pursue a grant award nevertheless.

Freeman Lake

W. Dalton asked what the status was of dam repairs at Freeman Lake, noting that it's been two years since the selectmen voted to go through with the repairs and nothing has

been done yet. B. Lynch said that the town had found the necessary people to make these types of dam repairs; however, the state would not give its consent because a number of residents opposed the level by which the water was going to be lowered. The town compromised by reducing the level from 12 inches to 6 inches at which time the state did a site visit. When the state did not respond back, a letter was sent to the commissioner to inform him of the state's delay in responding back to Chelmsford about the dam repairs. Andy Sheehan, who was present at the meeting, said that although the state has enough information to make a decision, it still might not approve lowering the water level by as much as 6 inches. B. Lynch said he would follow up with the state once again on this issue.

Miscellaneous

- The police boat has been put on the water.

- B. Lynch said he would like to extend the management contract with the golf course at the September 14 BOS meeting. The extension would be for two years as provided for in the RFP. This decision follows a positive review of the management team's performance.

- The beech tree on the common has been trimmed and everything possible is being done to preserve it.

- The selectmen will be voting on the town meeting warrant in late September. There will be about 17-18 articles. Although the final free cash number is not yet available, it is expected to be favorable, possibly around $1 million.

SELECTMEN REPORTS

Neon Signs

T. Moran said that some business owners in the community had talked to him about neon sign violations. B. Lynch said he had recently sent a memo to the building inspector alerting him of certain sign violations but that he would check back with him on this. Anyone who has sign complaints should contact the building inspector.

Dalton Road Traffic Lights

T. Moran expressed his disappointment with acting Gov. Paul Cellucci's decision to veto state funding for traffic light installation at Dalton Road. It was T. Moran's feeling that what Cellucci referred to as "pork" was in fact a quality of life issue in Chelmsford. Intersection improvements are part of the town's long-range traffic plans, and in order to make these improvements happen, the town is dependent on state funding. He said he hopes to see the veto overridden.

Skateboard Park

T. Moran said that he had heard of other communities putting in skateboard parks and that the town should look into doing this also. B. Lynch said that he had asked Holly Rice and Andy Sheehan to begin looking for a place that could be used for a skateboard park and that one option that had surfaced was the tennis courts at South Row School. He also mentioned that Andover had recently built this type of park.

B. Lynch said that the town's liability carrier has issued guidelines on how such a park should be built. One of the key components to successfully building a skateboard park is find the optimum location, one that is accessible but not disruptive to the neighborhood. He indicated that the next step would be to talk to the School Department about the possibility of using the South Row tennis courts.

Interstate 495 Rest Area

P. Eliopoulos asked if the town was monitoring progress at the 495 rest area (northbound) to make sure that state workers weren't cutting down any more trees then what had been agreed to. Andy Sheehan said that it seems as though they are working within the original guidelines regarding the number of trees that would be removed from the site and that he would continue to monitor activity there.

Miscellaeous

- S. Weisfeldt, referencing a memo from John Emerson dated 8/27/98, reported that the Chelmsford Sewer Commission in conjunction with the D.P.W. would be working toward upgrading the drainage culvert that provides a drainage outlet to Hart Pond as well as a feed to the Cranberry Bog. This upgrade would reduce springtime flooding.

- M. McCall said that he had received positive feedback about the Percheron Road rottweiler, the dog that was recently banished from Chelmsford.

- M. McCall questioned the destination of the trucks driving on Swain Road and B. Lynch said he would find out.

- M. McCall asked B. Lynch if he had been able to find out if the new Lowell General Hospital surgical unit would be paying taxes to the town. B. Lynch said that he hadn't yet found out for sure but that he would get back to him on this.

- W. Dalton asked about the tree on Maple Road, and B. Lynch said he had spoken to Jim Pearson about the tree and that it had been put on the list.

- W. Dalton reported that the utility companies had begun work to rectify the double pole issue on Davis Road.

- W. Dalton said there was a 50-60 foot sidewalk section on Middlesex Street heading toward Church Street that was in disrepair. B. Lynch said he was aware of this and that this item had been put on the repair list. W. Dalton said that a lot of senior citizens use the sidewalk, and B. Lynch said he would have Jim Pearson revisit the situation since it had been about a year's time since Jim had last viewed the sidewalk.

- W. Dalton asked about having the town's highway barn painted. B. Lynch said that as part of the town's refurbishing plan, the barn will either be sided or painted in the near future.

- On behalf of a resident of Dartmouth Street, W. Dalton asked if a slow/children sign could be installed there.

- W. Dalton asked about the status of the streetlight on Owls Nest Road but B. Lynch was not sure.

- W. Dalton reported that there was a streetlight out on Swain Road near the Sportsmen's Club. B. Lynch said he would have the police determine the pole number so the light could be repaired.

- W. Dalton suggested re-instituting the Tax Classification Committee with people who were on the original committee. He also asked when the tax classification material was going to be available, and B. Lynch said he was still waiting to receive information from the state before he could provide a report to the selectmen. S. Weisfeldt said that he didn't think the committee was necessary at this time. P. Eliopoulos said he would like to see the numbers before deciding whether or not to organize a committee. T. Moran stressed the need to receive the tax classification information as soon as possible. B. Lynch said he would meet with Diane Phillips to discuss property valuations as soon as she returned from vacation.

Town Manager Evaluations

B. Lynch highlighted some of his accomplishments over the past year, emphasizing that every achievement represents a combined effort involving elected officials, town employees, and others. Probably most significant of these accomplishments was the town's improved financial condition as demonstrated by the recent upgrade by Moody's to a Aa. In fact, the town fared better in FY98 than ever before in terms of both service delivery and finances. Some contributing factors that led to the improvement of the town's financial status include sound financial management practices (budgeting), effective tax collections and other receipts, and growing economic development (bringing more businesses to Chelmsford). The budget surplus, which is used in part to reduce taxes, increase the stabilization account and fund various town projects, is not unique to Chelmsford.

Other significant events that occurred during the year include the transfer of the Tully Forum to Chelmsford, initiation of the sand and gravel operation (estimated to generate S1 million over the next several years), the Carey land acquisition (approx. 120 acres currently being kept as open space but with development potential) and the school operational review. Not only was a substantial amount of time spent on the Central Square Enhancement Project over the past year but also on the three other major construction projects currently underway--Center School, the library and the police station. Improvements continue at the golf course, which is a profitable asset to the town. And on the administrative end, a compilation of policies and licensing procedures was developed. Overall the town is doing well and heading in a positive direction.

:

- Tom Moran: 4.5 (excellent job)
- P. Eliopoulos: 4.4 (improvement in all categories since last year)
- M. McCall: 4.0 (room for improvement in the building projects area like Center School)
- S. Weisfeldt: 4.3 (sometimes doesn't take seriously enough issues one or more Board members feel are important)
- W. Dalton: 4.5 (marked improvement in communication with Board members)

Stuart Weisfeldt motioned to go into executive session to discuss litigation and collective bargaining. P. Eliopoulos seconded the motion and a roll call vote in favor proceeded as follows: WFD—Aye, SGW—Aye, PME—Aye, TEM—Aye, and MFM—Aye.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

Town Clerk

RECEIVED
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TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
14 September 1998

A meeting (work session) of the Board of Selectmen was held on 14 September 1998 in Room 205 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

SCHEDULED BUSINESS

McGovern's Automotive (Location Amendment to Class II Automotive Dealers License) and Jim Gervais Sales, Inc. (Location Transfer of Class II Automotive Dealers License)—continued from previous meeting

Building Inspector Anthony Zagzoug in his memo to the selectmen dated 9/14/98 recommended approval of the vehicle storage plan prepared by Paul McGovern. Although Mr. Zagzoug approved a 49-vehicle maximum on the entire 1-9 Princeton Street lot, the selectmen said they didn't have any problem with the plan itself, which allowed space for 50 vehicles—15 at One Princeton Street and 35 at 9 Princeton Street. The building inspector recommended that concrete bumpers be installed along the front property line to prevent cars from encroaching onto the public way. Paul McGovern agreed to discuss concrete bumpers with Mr. Zagzoug. Mr. Lynch then said he would recommend approval.

Selectman Weisfeldt motioned (1) to grant a location amendment to the Class II Automotive Dealers License of McGovern's Automotive to change the business address from 1-9 Princeton Street to One Princeton Street (15-car maximum) and (2) to approve a location transfer of the Class II Automotive Dealers License of Jim Gervais Sales, Inc., from 113 Tyngsboro Road to 9 Princeton Street (35-car maximum), approval being granted with the stipulation that concrete bumpers be installed along the front property line to prevent cars from encroaching onto the public way, as recommended by the building inspector. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

UNSCHEDULED BUSINESS

License Requests to Sell Christmas Trees and Wreaths

Selectman Weisfeldt motioned to grant licenses to sell Christmas trees and wreaths to the following applicants at the referenced locations:

- Gregory Spring—Sully's, 55 Graniteville Road, from 12/1/98-12/24/98, 9:00 a.m.-9:00 p.m.
- Gregory Spring—Skip's Ice Cream, 116 Chelmsford Street, from 12/1/98-12/24/98, 9:00 a.m.-9:00 p.m.
- James E. Rich—Central Congregational Church parking lot, from 11/27/98-12/23/98, 9:00 a.m.-9:00 p.m.

The motion was seconded by Selectman Eliopoulos and unanimously approved.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Selectman Weisfeldt motioned to approve minutes from the 7/20/98 and 7/28/98 Board of Selectmen meetings. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

TOWN MANAGER CONTRACT AWARDS

Sterling Golf Management Contract Extension

Bernard Lynch said he was seeking the Board's authorization to extend the Sterling Golf Management contract for two years--from 1/1/99 to 12/31/00. He said that the golf course was in better shape now than it was three years ago when the town purchased it and that revenues were up, both largely as a result of the outstanding performance of Sterling Golf Management. The Chelmsford Country Club's financial plan will remain the same throughout the extension.

Selectman Eliopoulos asked how 1998 revenues compared to 1997 revenues. Mr. Lynch said he did not have the numbers but could get them. He estimated that the town was making about a 10 percent increase annually and that he would like to see the golf course reach 35-40 thousand rounds of golf per year.

Selectman Weisfeldt motioned to authorize the town manager to extend the town's contract with Sterling Golf Management for two years. Selectman Eliopoulos seconded the motion, which then received unanimous approval.

Cooperative Salt Bid

Mr. Lynch informed the Board that the low bidder for the cooperative salt bid was Granite State Minerals, Inc., of Portsmouth, NH, at $25.33 per ton.

Selectman Moran asked how much salt the town had in storage. Mr. Lynch said he knew it was a considerable amount and that he would find out how much and report back to the selectmen. Selectman Moran said he thinks salt storage is something the town should monitor in order to continue on with efforts to clean up Richardson Road. Mr. Lynch said that the town built a new maintenance shed on Richardson Road and that maintenance equipment would be stored there. In addition, the front of the building on the DPW property was slated to be converted into office space and the trailer, which would then no longer be needed, removed from the site. Selectman Dalton asked what the timeframe was for the office space project, and Mr. Lynch answered that it was scheduled to be done next year. Additionally, Mr. Lynch said he would talk to Jim Pearson about screening the DPW yard before that time, probably next spring. Mr. Lynch then pointed out that the town's salt was stored on Swain Road, not Richardson.

Selectman Weisfeldt motioned to authorize the town manager to award the cooperative salt bid to Granite State Minerals, Inc., of Portsmouth, NH, for $25.33 per ton. The motion was seconded by Selectman Eliopoulos, then unanimously approved.

MunEnergy

Bernard Lynch explained that deregulation of the utility companies will eventually enable people to choose between different suppliers, though they won't be able to choose how the energy is transmitted. The hope is that deregulation will put more competition into the marketplace and result in cheaper electricity for everyone.

In response to Selectman McCall's question, Mr. Lynch said that the MunEnergy contract applies only to municipal facilities, such as town buildings, schools and streetlights. Further, there is a provision in the contract to ensure that the town always gets the best available rate, which means that if an energy provider offers a better rate, MunEnergy has to offer the lower rate too. Selectman Weisfeldt asked if homeowners would benefit from this contract, and Mr. Lynch answered that at this time homeowners receive the standard rate, which is 15 percent lower than what they paid prior to deregulation. Once competition starts to heat up, it is probable that Chelmsford can act as an aggregator for the community in trying to obtain better utility rates.

It is expected that in 1999 the town will save $10,000 under MunEnergy. Each year during the five-year contract the savings should grow, with an estimated $20,000 savings by 2003 assuming no increase in energy consumption. Increases in consumption as a result of new facilities being built will further augment savings. In addition, the MunEnergy agreement provides for a savings of 20-25 percent on streetlight procurement as well as a 10-20 percent reduction in natural gas rates.

Selectman Weisfeldt motioned to authorize the town manager to enter the Town of Chelmsford into a contractual agreement with the MMA sponsored MunEnergy program from now through 2003. The motion was seconded by Selectman Eliopoulos and a discussion followed.

Selectman Weisfeldt asked if there was any termination clause that would allow the town to back out of the contract if town officials were dissatisfied with the MunEnergy program. Mr. Lynch

said that he did not believe there was but that the town was sure to get better than standard rates. Selectman Eliopoulos asked why MunEnergy could not supply energy to individual homeowners, and Mr. Lynch said that at this time MunEnergy has a limited capacity.

All selectmen then voted in favor of the aforementioned motion.

ANNOUNCEMENTS

Mr. Lynch made the following announcements:

- There will be an employee appreciation breakfast on Friday, September 25, at Old Town Hall.

- An open house at the forum is scheduled for Sunday, September 27, during the afternoon. There will be an open skate and other activities. Prior to the open house someone will be coming in to repaint the signs.

SELECTMEN REPORTS/REFERRALS

Miscellaneous

- Selectman Moran asked if the benches and wastebaskets for the Center and Vinal Square were in yet. Mr. Lynch said they were supposed to be in on September 11 but that he was unsure if they had arrived on time.

- Selectman Moran emphasized the need for a skateboard park in town, and Bernard Lynch said that Holly Rice from the Recreation Department would be looking at some skateboard parks that were recently built in other communities. The plan, he said, is to have a park in place by next spring. The biggest challenge is finding a site that is centrally located. One option he would be investigating is whether or not the School Department has any possible sites.

- In response to Selectman Moran's request for an update on the N. Chelmsford Auto Parts fence, Mr. Lynch said he didn't have any more information than he had relayed to the selectmen at the previous meeting but that he would have an update by the next BOS meeting on September 28.

- Selectman Moran asked about the Wellman Avenue railroad crossing issue. Mr. Lynch said he would have an update for the next meeting at which time a decision should be made as to whether or not it would be in the town's best interest to accept the railroad crossing as a public way.

- In response to Selectman Moran's request about the status of the tax classification data, Mr. Lynch said he had asked the assessors for some relevant information and that he was still

awaiting new growth data from the state. He hopes the numbers will be available within the next week to ten days so he can generate a report for the selectmen.

Traffic

Selectman Moran stated that it might be a good idea to make all intersections on Linwood four-way stops to discourage people from using the street as a cut-through. Mr. Lynch pointed out that the state allows communities to make decisions regarding stop signs and traffic lights but that there are certain state-imposed standards that have to be met to maintain continuity throughout communities. Mr. Lynch said he would ask the police to conduct a study to see if the intersections on Linwood Street meet the state's criteria for four-way stop signs.

Selectman Moran suggested holding a public hearing on traffic in order to get input from town residents. He said there is a perception within the town that traffic is getting worse as time goes on and that a public hearing would be a proactive approach to solving some of the town's traffic problems.

Selectman Dalton said that not only is speed a problem in the community but the town is often used as a cut-through, as evidenced by the amount of New Hampshire vehicles seen throughout town. Selectman McCall confirmed that speed is a big problem, particularly around school areas, and that he too sees a good amount of New Hampshire plates around town.

Mr. Lynch, in agreement with Selectman Eliopoulos, said that holding a public hearing on the traffic issue would raise people's expectations and expose town officials to cynicism should the town be unable to meet these expectations. Selectman Dalton suggested doing more research on the subject before making a decision.

Selectman Moran asked if an officer could be put at some of the North Road intersections during peak traffic times. Mr. Lynch said that an officer had been put at the Center in the past and that it caused more of a problem than anything but that he would talk to the police chief about it.

Selectman McCall brought up the idea of installing traffic lights in some locations on a temporary basis only. Once the Route 3 widening project is completed, some of these traffic lights could be removed, thus preserving the character of the town. Mr. Lynch said that the lights could be made to flash should they no longer be needed for their original purpose but that it was unlikely they could be removed. He then cited two reasons for installing traffic lights—one, to keep traffic flowing and the other, to slow it down.

Selectman Moran advised that the town initiate a traffic plan prior to commencement of construction on Route 3 to prevent rush-hour gridlock. Bernard Lynch said that the traffic impact that will result from the Route 3 expansion project might influence the state enough to install traffic lights at the North Road intersection, and town officials have already begun discussing this issue with the state. Selectman Moran suggested prohibiting left turns off of Dalton Road onto Linwood and/or no left turns off of North Road at certain times of the day to deal with the traffic flow problem in that area.

Center School

Selectman Weisfeldt reported that an unforeseen problem with asbestos under the floor tile at the Center School would result in a $180,000 increase in the cost of the project.

Goals Update

In response to Selectman Dalton's request for a goals update, Mr. Lynch said that the Central Square project was moving ahead, with construction expected to commence in the spring. The town is currently negotiating with Fleet Bank to obtain municipal parking. There would be a warrant article for the fall town meeting seeking authorization for the town to take a piece of property behind the Mill House for municipal parking. Additionally, discussions with utility companies about utility depression in the Center are ongoing.

The library project is still moving slowly, and a plan for the underpinning and shoring is expected to be in place within a week or so. There is some site work going on there as well.

The police station bid is expected to go out in November.

The forum is up and running.

In terms of financial goals Mr. Lynch said he had still not received the free cash number but expects the year to end profitably.

Miscellaneous

- Selectman Dalton reported that he had spoken to Judith Klimkiewicz about having students install wiring at Old Town Hall. Mr. Lynch recommended first finding out exactly what the building would be used for before spending money to renovate it. He said he had met with the North Town Hall Committee about a year ago, and the objective at the time was to come up with a plan detailing what needs to be done, how the work is going to be funded, and what the building will be used for. He then said he would contact Jeff Stallard to remind him about the plan.

- Selectman Dalton reported that B&M trains in N. Chelmsford are being left running in a residential neighborhood for extended periods of time during the evening hours and that cabdrivers used to rotate the train crew are beeping their horns in the early morning hours. He asked if Mr. Lynch could bring this to the attention of Ray McCusker, who has worked with B&M on these issues in the past.

- Selectman Dalton asked about the storm drain on Middlesex Street. Mr. Lynch said he had spoken to the Highway Department about it and that repairing the drain had been put on the department's project list. Selectman Dalton indicated that the drain had sunk, causing a loud noise when trucks drive over it

- Selectman Moran reported that an island on Westford Road appears to be sinking in, and Bernard Lynch said the town would be paving this area in the spring.

- Selectman Eliopoulos said that the P.O.W. flag at the common needs to be replaced because it is badly faded.

- Selectman Eliopoulos asked if the state would be holding a 75 percent hearing on the bike trail, and Mr. Lynch said he would find out. Selectman Eliopoulos also requested a report on the proposed parking areas that would be used by bike trail users.

- Selectman Moran said that people on the Southwell Committee would like to change the name of Southwell Field to Southwell Park. Mr. Lynch said he didn't think this would be a problem but that he would check into it.

Application for Permit to Access State Highway

As part of the Dunkin' Donuts' project on Chelmsford Street, Mr. Lynch said the Planning Board is recommending that Emerson Avenue be widened, a project that requires a permit from the state. Therefore, Mr. Lynch was requesting that the Board vote to accept widening of Emerson Avenue, the cost and labor of which would be borne by the Dunkin' Donuts' owners who are building the new facility.

Selectman Weisfeldt motioned to submit to the state an approved application to widen Emerson Avenue to 24 feet, increasing radii from 15 degrees to 20 degrees and setting granite curbing at intersection of State Highway Layout. Selectman Eliopoulos seconded and the motion was unanimously approved.

EXECUTIVE SESSION

At approximately 9:15 p.m. Selectman Weisfeldt motioned for the Board of Selectmen and town manager to go into executive session to discuss collective bargaining, real property and litigation. Selectman Eliopoulos seconded the motion and a roll call vote followed: WFD—Aye, SGW—Aye, PME—Aye, TEM—Aye and MFM—Aye.

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

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BOARD OF SELECTMEN MEETING MINUTES
28 September 1998

A regular meeting of the Board of Selectmen was held on 28 September 1998 in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

PUBLIC SERVICE ANNOUNCEMENTS

Proclamations

Fire Chief Jackie Parow was present to receive a proclamation announcing Fire Prevention Week October 4-10.

Marilyn Curry accepted a proclamation honoring the Chelmsford Women of Today, now in its 35th year as a Chelmsford community service organization.

Appreciation Awards

Robin Crane and Catherine Clark were each given an Award of Appreciation by the Board of Selectmen for their service as members of the Chelmsford Cultural Council.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING(S)

Selectman Weisfeldt motioned to approve minutes, regular and executive, from the BOS meeting held on 31 August 1998. Selectman Eliopoulos seconded and the motion was unanimously approved.

UNSCHEDULED BUSINESS

Establishment of G.L.c.44, s.53A Account

On behalf of the Planning Board, Chairman Susan Carter asked the Board of Selectmen for its approval to establish an account for depositing contributions that will be used primarily to fund transportation improvements. The Planning Board will assume responsibility for deciding how

funds are to be allocated, and transportation improvements will be made in areas where the business(es) making the contributions are located.

Selectman Weisfeldt motioned to accept the establishment of a G.L.c.44, s.53A account to be used for depositing contributions from local businesses to fund transportation improvements. Selectman Eliopoulos seconded and the vote was unanimously approved.

One-day Liquor Licenses

Selectman Weisfeldt motioned to approve a one-day liquor license for St. John's Church at 115 Middlesex Street for Saturday, 3 October 1998, from 5:00 p.m. to 8:00 p.m. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Selectman Weisfeldt motioned to approve a one-day liquor license for Ss. Vartanantz Armenian Church at 180 Old Westford Road for Saturday, 17 October 1998, from 5:00 p.m. to 10:00 p.m. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Warrant Articles

Bernard Lynch informed the Board of Selectmen that the Finance Committee needs the warrant articles approved so the committee can prepare its book for town meeting. The Board of Selectmen would be reviewing the warrant articles and discussing them in more depth at a work session that will be held prior to town meeting. A Planning Board member would be in attendance at that time to help answer any questions the selectmen might have regarding the bylaw changes.

Selectman Weisfeldt motioned to accept the warrant articles for the annual fall town meeting commencing on 19 October 1998. Selectman Eliopoulos seconded and the motion was unanimously approved.

TOWN MANAGER APPOINTMENTS

Mr. Lynch appointed the following individuals to serve on the Cultural Council:

- Kathleen O'Brien, expir. 6/30/99
- Ronalee Sayers, expir. 6/30/00
- Judith Jumpp, expir. 6/30/00
- Louis Stamas, expir. 6/30/99

Selectman Weisfeldt motioned to endorse the town manager's appointments to the Cultural Council. Selectman Eliopoulos seconded and the motion was unanimously approved.

SCHEDULED BUSINESS

Common Victualer License—Common Cup Café

Ray Criscenzo was present at the public hearing to request a common victualer license to open a small café at Vinal Square. Having asked if anyone would like to speak either for or against this request and receiving no response, Selectman Dalton motioned to close the public hearing. Selectman Eliopoulos seconded and the selectmen voted unanimously in favor.

Following a brief discussion, Selectman Weisfeldt motioned to grant a common victualer license to the owner of the Common Cup Café at 27 Vinal Square having hours of operation from 5:30 a.m.-5:00 p.m. and seating for ten and pending verification that establishment is ADA compliant. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

TOWN MANAGER REPORTS

Library Project

Mr. Lynch reported that the town had run into some problems at the library site but actions had been taken to move the project along. After a massive amount of rock delayed the original shoring plan, another approach was going to be initiated to shore up the site. One lane of traffic in the street in front of the library would be eliminated and the roadway cut into in order for the shoring to be erected. Traffic problems caused by the single lane of traffic in this area would be resolved as quickly as possible. Mass Paving was expected to be finished cutting out a portion of the roadway by Saturday morning. Once the shoring is in, Mello would begin installing the footings and foundation. The road should be down to one lane for about three weeks before Mass Paving comes in to close it up.

Selectman Moran asked about additional costs associated with the delays. Mr. Lynch said that extra costs are always anticipated with any construction project. Although he believed that the project was still within budget, he said he would provide an update on the financial status of the project probably at the next meeting. He said the contract had been extended about ten days and that, according to the contractor, the project would be done in September of next year.

Center School Project

A subcontractor is working to remove the asbestos found under the vinyl flooring. Despite the setback triggered by the asbestos, the building is still expected to be open next September.

Central Square

Traffic plans are at the state and a traffic hearing will be held in the near future. Traffic improvements in the Center should begin about a year from now. With respect to aesthetic improvements at the Center, the town was ranked very high for the enhancement grant and should receive results within the next four weeks. The town has been meeting with utility companies to discuss utility depression, which will be taken up at town meeting. The cost to

depress utilities is expected to be about $4-5 million to be paid off over six years by surcharges on utility bills, though the town is trying to bring this cost down. Major industrial users will pay the highest surcharges. Mr. Lynch said he has been working with Jack Handley to obtain parking area behind the Mill House and will also be meeting with the branch manager of Fleet to discuss creating more municipal parking there. Waste baskets and benches were put out last week. The town continues to explore grant opportunities and is looking into having the state fund a downtown manager to attract businesses to the Center.

Summer Street

Mr. Lynch said that Mass Electric was asked to put up two more lights on Summer Street. In addition, the town is planning to pave Summer Street this fall and to build the sidewalk at the same time.

Freeman Lake

Because of the volume of water that would be affected by lowering the water level, the project requires MEPA action. The town will be moving forward with the dam improvements, which will not trigger MEPA involvement, and the water level issue will be treated separately.

SCHEDULED BUSINESS (Continued)

Common Victualer License—Yama Japanese Restaurant

Beth Ahern, representing the manager of the proposed restaurant, was present for the hearing. After asking if anyone would like to speak either in favor or against the licensing of this restaurant and receiving no response, Selectman Dalton suggested that the public hearing be closed. Selectman Weisfeldt motioned to close the hearing, Selectman Eliopoulos seconded, and all voted in favor.

After a brief discussion Selectman Weisfeldt motioned to grant a common victualer license to the Yama Japanese Restaurant at 7 Summer Street for the hours of 11:30 a.m. to 11:00 p.m. Monday through Sunday provided the premises meets ADA requirements. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

Transfer of Stock and Change of Officers/Directors under All Alcohol Common Victualer License—The Ground Round

Eric Allon, the attorney representing The Ground Round, was present. Selectman Dalton asked if anyone would like to speak either in favor or against this licensing change. Since no one came forward at this time, Selectman Weisfeldt motioned to close the public hearing. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Selectman Weisfeldt then motioned to approve a transfer of stock and new officers/directors under the all alcohol license held by Roslyn Shops of Chelmsford, Inc., d/b/a The Ground Round

at 185 Chelmsford Street. The motion was seconded by P. Eliopoulos, then unanimously approved.

Change of Manager under All Alcohol Common Victualer License—Best Western Chelmsford Inn

Eric Allon, also representing the Best Western, remained at the podium for this public hearing. Mr. Allon said that he was seeking the Board's approval to change the name on the license from Kathleen Kelly d/b/a/ H. J. Services to PKS Realty, Inc., and to change the manager from Kathleen A. Kelley to Dennis A. Palma. Mr. Palma, who has been the manager of The Ground Round, will now be managing both businesses.

Selectman Weisfeldt motioned to approve a change of license from Kathleen Kelly d/b/a H. J. Services to PKS Realty, Inc., and a change of manager from Kathleen A. Kelley to Dennis A. Palma, both transactions being made to the all alcohol common victualer license held by the Best Western Chelmsford Inn at 187 Chelmsford Street. The motion was seconded by Selectman Eliopoulos, then unanimously approved.

SELECTMEN REFERRALS

- In response to Selectman Moran's request for an update on the fence at North Chelmsford Auto Parts, Mr. Lynch, referring to a memo from Anthony Zagzoug dated 9/28/98, said that the fence replacement is on schedule. A large section has been erected along the front property line, and the remaining portion should be done by the first of the year. Vinyl privacy slats to hide an inside view of the property from the street are on order and will be installed by mid-October.

- Selectman Moran said that his suggestion at the previous meeting for a public hearing to discuss traffic has received a positive response both from other Board members and from various people in the town. He said he would like to have this public hearing sometime in November. It would give people a chance to come forward with their concerns and suggestions. Mr. Lynch agreed, saying that it would give people a chance to inform town officials of traffic problems officials might otherwise be unaware of. People have to understand, however, that traffic controls are regulated by the state and there are limitations on what the town can and cannot do.

- Selectman Moran mentioned that the storage shed in West Chelmsford needs to be fixed up. Selectman Dalton said he was under the impression that Pop Warner was doing some rehab to the building. Mr. Lynch said he thought so too and that he would contact Pop Warner again to find out the status.

- Selectman Moran asked about the status of the tax classification data, and Mr. Lynch said he had spoken to Diane Phillips and should have something out within the next week or so and well in advance of town meeting.

- Selectman Moran said he would like to see the DPW yard on Richardson Road cleaned up. Mr. Lynch said that this has been an ongoing issue and that he has been talking to Jim Pearson about it for quite some time. The DPW is extremely busy, particularly where there are a lot of projects going on around town and only 15 employees.

- As he had mentioned at the previous BOS meeting, Selectman Moran said that the Southwell Committee wanted to change the name of the park. Mr. Lynch suggested that the Board vote on this and he would then have the signage changed.

  Selectman Moran motioned to change the name of Southwell Field to Southwell Park and to ensure that signage in/near the property reflects the new name. Selectman Dalton seconded the motion, which was then unanimously approved.

- Selectman Eliopoulos, having spoken to 7th and 8th graders at the Charter School earlier in the day, reported on the students' observations that there is a significant amount of litter at the Lime Quarry. He suggested having some prisoners from the Billerica House of Correction come to Chelmsford to clean it up. Mr. Lynch said he would look into it. He mentioned that other alternatives might be to have the quarry cleaned up by boy scouts or girl scouts or as part of a town-wide cleanup. Selectman Dalton said he preferred using prisoners from Billerica. Lastly, Selectman Eliopoulos suggested that litter signs be posted on the quarry property and that police monitor the area for litter violations.

- With reference to the traffic situation, Selectman McCall said that there are more and more children in some of the town's neighborhoods and signs should be put up on some of the streets to protect them from motorists.

- Selectman McCall inquired about the water problem experienced by some Sleigh Road residents. Mr. Lynch said that people should understand that the water district is not part of town government but a separate entity. People who have problems with their water should contact the water district directly or the police department if water district employees are not available.

- Selectman McCall asked if something would be put around the cemetery to conceal it from the new building on Apollo Drive, and Mr. Lynch said that this was an issue raised by the Planning Board a while back. The decision reached by the Planning Board was to have the contractor install plantings and screening along the property line. Selectman Eliopoulos mentioned that the contractor also agreed to do some leveling in the area dividing the two properties, which would improve the cemetery landscaping.

- Selectman Weisfeldt reported that the Sewer Commission would not be doing curb-to-curb paving on Gorham Street, a state-owned roadway, under the E. Chelmsford sewer contract. Instead, the town would be doing trench paving. Once the sewer project is completed on Gorham Street, the Board of Selectmen can petition the state, under the State Transportation Improvement Program, to add an overlay.

- Selectman Dalton said he was disappointed in not seeing anything in newspaper articles about Peter Lawlor's role in bringing the Tully Forum under Chelmsford's control when it was largely because of Peter's efforts that it happened.

- Selectman Dalton asked if the tree in front of Mr. Hall's property on Maple Street would be removed, and Mr. Lynch said this item had been added to the DPW tree work list.

- Selectman Dalton requested the status of double poles. Mr. Lynch said that Davis Road has been a priority and that Bell Atlantic ran into a problem there with one of the abutters who wanted one of the poles moved to a different location. Additionally, he said he would have a report at the next meeting. Selectman Weisfeldt said that the new poles were up but there didn't seem to be any activity. Mr. Lynch said that not only was there the issue with the abutter to resolve but that getting all the utilities to transfer their wires to the new poles takes time.

- Selectman Dalton asked why the paving on Rte. 129 had not been finished. Mr. Lynch said that the goal is to pave 129 in its entirety. Several 129 residents close to the Center asked if they could put in granite curbing. Since the town cannot install granite curbing in this area, the paving project was put on hold so the residents could install the curbing themselves. Route 129 will be completed when Summer Street is paved, which will probably be within the next four weeks. The potholes on Rte. 129, however, have been filled.

- Selectman Eliopoulos asked if a slow children sign could be put up on Arbutus Avenue near the bend in the road because a family with four small children lives there and drivers cannot see around the bend. Mr. Lynch said he would have someone take a look at the situation and decide what the best location for the sign would be.

- Selectman Weisfeldt asked if the cellular towers could be screened in so as not to be so obtrusive. Mr. Lynch said that our bylaws do not require screening but that he would look into it.

OPEN SESSION

Emptying of Dumpsters

Brad Emerson, 30 Lantern Lane, asked if there were any bylaws that controlled the hours in which commercial dumpsters can be emptied. He said that a lot of people in the Summer Street area are being disrupted as early as 3:30 a.m. by the sound of dumpsters being emptied. Mr. Lynch said that John Coderre had looked into this before and was unable to find anything in the bylaws restricting the hours in which dumpsters could be emptied; however, he would revisit the issue.

Traffic Hearing

Robert Hall, 35 Maple Road, said that he thought it would be a good idea to hold a public hearing on traffic particularly where there are more kids in his neighborhood than there have been in the past.

EXECUTIVE SESSION

At 8:40 p.m. Selectman Weisfeldt motioned to go into executive session to discuss real property. The motion was seconded by Selectman Eliopoulos and a roll call vote proceeded as follows: WFD—Aye, SGW—Aye, PME—Aye, TEM—Aye, and MFM—Aye.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

RECEIVED
1998 NOV 12 AM 10:52
TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
13 October 1998

A meeting (work session) of the Board of Selectmen was held on 13 October 1998 in Room 205 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

CHELMSFORD HOUSING AUTHORITY

David Hedison, Executive Director of the Chelmsford Housing Authority, came to the work session to ask the selectmen about the types of issues they wanted him to cover at the formal Board of Selectmen meeting he would be attending in the near future. Selectman Eliopoulos said he would like Mr. Hedison to explain the procedure involved in obtaining elderly/affordable housing. Mr. Hedison expressed an interest in building a closer relationship with the town so it and the Housing Authority could work together to resolve issues. He also acknowledged that there are currently no mechanisms in place to notify people when units become available but that he and Andrew Sheehan were working together to develop a tracking system. In addition, he said that Chelmsford's affordable housing program, which is a state program, has one of the longest waiting lists in Massachusetts.

ONE-DAY AUCTION PERMIT

Selectman Weisfeldt motioned to approve a one-day auction permit for James R. Banyas, Jr., for 22 October 1998 for the purpose of selling collectibles and antiques at the Chelmsford Elks on Route 110 in Chelmsford from 3:00 p.m. to approximately 10:30 p.m. Mr. Banyas holds a Massachusetts State Auctioneer License (No. 2357) with an expiration date of 6 May 1999. Selectman Eliopoulos seconded the motion, which was followed by unanimous approval.

FALL TOWN MEETING WARRANT ARTICLE REVIEW

Andrew Sheehan and Planning Board Chairman Susan Carter attended the meeting to provide the selectman with an overview of Articles 22-28, which relate to changes to the Master Plan By-laws. Following the overview, Selectman Weisfeldt motioned for the Board to support Articles 22-28. Selectman Eliopoulos seconded the motion, which then received unanimous approval.

Bernard Lynch then briefed the selectmen on Articles 1-7. Afterwards, Selectman Weisfeldt motioned for the Board to support Articles 1-7. The motion was seconded by Selectman Eliopoulos, then unanimously approved.

Mr. Lynch continued on with a brief explanation of Articles 8-14. This was followed by a motion by Selectman Weisfeldt for the Board to support these articles. The motion was seconded by Selectman Eliopoulos, then unanimously approved.

With reference to Article 15, pertaining to funding for a school facility study, Selectman Weisfeldt motioned for the Board to withhold its recommendation until town meeting. Selectman Eliopoulos seconded the motion, which was unanimously approved.

With reference to Article 16, pertaining to maintenance of grinder pumps for single-family homes, Selectman Weisfeldt motioned for the Board of Selectmen to recommend against it. The motion was seconded by Selectman Eliopoulos, then unanimously approved.

After Mr. Lynch briefly explained Articles 17-21, Selectman Weisfeldt motioned for the Board to recommend them. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Selectman Weisfeldt then motioned to adjourn, Selectman Eliopoulos seconded, and all approved.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

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1998 NOV 12 AM 10: 52
TOWN OF CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
19 October 1998

A meeting of the Board of Selectmen was held on 19 October 1998 at the Senior Center, 75 Groton Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

FRESH CHOW LICENSE

Robert McArthur, owner of the 14 Chelmsford Street property where the Fresh Chow restaurant is planning to locate, came to the meeting seeking clarification from the selectmen regarding landscaping in front of the building. At a previous meeting the selectmen had asked Mr. McArthur to install landscaping in front of his property in a way that would discourage motorists from parking there. Mr. McArthur was unsure if he had to install landscaping in front of No. 14 only or all three units—Nos. 10, 12, and 14. He said he felt signaled out because he was the only one on the street who had to give up parking. More importantly, he said that eliminating these parking spots would devalue his property by 20 percent.

The selectmen and town manager believed that the 10-14 Chelmsford Street area was congested and that allowing people to park in front of the businesses there increases the area's traffic problems. In addition, Bernard Lynch said the town had plans to put in curbing in front of the 10-14 Chelmsford Street property.

After a discussion, Selectman Weisfeldt motioned to restrict parking in front of 10, 12, and 14 Chelmsford Street. If curbing is not installed in front of the property in five years, the selectmen will grandfather the parking when Fresh Chow moves out should it do so before the curbing is put in. The motion was seconded by Phil Eliopoulos, then unanimously approved.

CENTRAL SQUARE ENHANCEMENT PROJECT

Referencing a 10/20/98 letter from Secretary and MBTA Chairman Patrick Moynihan, Mr. Lynch announced that the Central Square Enhancement Project application had been approved for funding under the state's Transportation Enhancement Program.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

RECEIVED
1998 SEP 17 AM 9:26
CHELMSFORD
MARIE E. ST. CLAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
28 July 1998

A meeting of the Board of Selectmen was held on 28 July 1998 at the Chelmsford High School, 200 Richardson Road, N. Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. In addition, Julie Lefebvre, Executive Secretary, was present.

TOWN MANAGER CONTRACT AWARD—CHELMSFORD FORUM

B. Lynch said that an RFP was issued for management of the forum. He received four proposals, one of which had to be disqualified because it did not meet minimum specifications. The other three proposals were evaluated, and representatives from the firms who submitted the proposals were interviewed by a team consisting of himself, John Coderre, CHS Hockey Coach Jack Fletcher and Chelmsford Hockey Association President Rick Duggan. Subsequently, a summary of the three proposals was sent to the Selectmen on 7/22/98.

According to B. Lynch the most beneficial firm the town could contract with would be Facility Management Corporation (FMC) of Rockland, Massachusetts. FMC, which runs 11 other rinks across the state, has extensive experience in managing municipal skating rinks and is geared toward creating a community atmosphere.

FMC appears to be the most advantageous from a financial standpoint as well, offering 11 percent of gross receipts as a management fee with an annual minimum of $50,000 in addition to another 6 percent, with a $25,000 minimum, going toward capital improvements. In addition, FMC will provide all the equipment except for the Zamboni, which Chelmsford already owns and has agreed to provide.

W. Dalton asked what would happen if the Zamboni were to break down. B. Lynch said that the town has been in contact with the University of Massachusetts to find out if it can obtain the university's old Zamboni once the new one for the Tsongas Arena comes in. Additionally, FMC has the ability to find a replacement Zamboni if necessary.

B. Lynch said that FMC would like to start scheduling ice time for September. The ice time needs of Chelmsford come first, but the forum will also have to be made available to other youth hockey non-profit and private groups.

S. Weisfeldt asked if the forum could be used for none-ice related activities, and B. Lynch said that the ability does exist. In answer to M. McCall's questions, B. Lynch said that the agreement Chelmsford would be signing with FMC is the same one FMC has with the Town of Burlington and that the contract will be for three years with an option for an additional two. There will also be a termination for cause included in the contract, which could occur at any time for noncompliance to contract requirements. P. Eliopoulos suggested that the agreement contain a clause that gives the Town flexibility in scheduling summer events at the forum, and T. Moran requested a monthly status report on the forum operation.

S. Weisfeldt moved to endorse the Town Manager's award of the forum maintenance contract to Facility Management Corporation of Rockland, Massachusetts. The motion was seconded by P. Eliopoulos and unanimously approved.

B. Lynch then mentioned that the forum would belong to the Town of Chelmsford for the next 20 years. M. McCall suggested that an open house be held at the forum so the general public could see it, and B. Lynch said that he was planning to do something like this in September.

TOWN MANAGER EVALUATIONS

W. Dalton said he would like to put town manager evaluations, which have to be done in open session, on the agenda for the next BOS meeting. He said that the evaluations give a good idea of what the selectmen are looking for in the manager. The evaluations also indicate the town manager's goals, what he thinks he has accomplished and what direction he thinks the town should go in.

S. Weisfeldt motioned to adjourn. The motion was seconded by P. Eliopoulos and unanimously approved.

JOINT MEETING WITH SCHOOL COMMITTEE

A joint meeting between the Board of Selectmen and the School Committee commenced at 7:30 p.m. in Lecture Hall II at Chelmsford High School. The joint meeting was being held to appoint a Nashoba Valley Technical High School Committee Member, thus filling the seat vacated by Mary Jo Griffin for the remainder of the term that expires 3/31/99. Present from the School Committee were Judith Mallette, Mary Frantz, Anthony Volpe, Mary Jo Griffin and Evelyn Thoren. Superintendent Richard Moser was also present as was Town Moderator Dennis McHugh.

Dennis McHugh, recognizing a quorum, called the meeting to order. He said that the purpose of the meeting was to appoint a regular member to the Nashoba School Committee to fulfill the term of Mary Jo Griffin. He then declared the floor open to nominations.

Judy Mallette nominated Ted Lekas. M. McCall seconded the nomination. T. Moran nominated Sam Poulton. S. Poulton interjected that in light of what Dennis McHugh had said about the term expiring at the end of March, he was no longer interested in the position. He said he would prefer to remain an alternate member rather than have to go through the whole appointment

process again in eight months. Tony Volpe then nominated Stratos Dukakis, and W. Dalton seconded the nomination. Following this, W. Dalton motioned to close nominations, and S. Weisfeldt seconded the motion.

Dennis McHugh called the votes as follows: Ted Lekas—6 and Stratos Dukakis—4. He then declared Ted Lekas as the new appointed member to the Nashoba Valley Technical High School Committee.

S. Weisfeldt motioned to adjourn the joint meeting and the motion was seconded by T. Moran. All selectmen voted in favor.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

RECEIVED
1998 JUL 22 PM 4:44
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
June 23, 1998

A meeting of the Board of Selectmen was held on June 23, 1998, at the Senior Center, 75 Groton Road, N. Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

TOWN MANAGER APPOINTMENTS

B. Lynch gave a list of his appointments to the various town committees to the selectmen to review. W. Dalton asked that in the future B. Lynch list both the starting and termination dates of each individual's term. B. Lynch then read off the vacancies that still existed on some of the committees.

W. Dalton asked B. Lynch to ask Susan Gates if she would be willing to take a seat on the Cable TV Advisory Commission, and he responded that he would contact her to find out. W. Dalton asked if the Coalition Against Crime was still active. B. Lynch said that the Town needs to have this committee for grant purposes but that the committee hasn't met for awhile.

S. Weisfeldt then made a motion to endorse the Town Manager's appointments. The motion was seconded by P. Eliopoulos and unanimously approved.

CONTRACT MANAGER CONTRACT AWARDS

Digital Conversion of the Assessor Maps and GIS Implementation

B. Lynch said that funding was approved at last fall's Town Meeting for consulting services related to digital conversion of the assessor maps and GIS implementation. The DOR has indicated that we should have our assessor maps updated and that it should be done in coordination with GIS. Jim Stanford proposed that the contract award go to the low bidder, Fuss & O'Neill, Inc., from Manchester, CT. The project is funded at $35,000. Based on J. Stanford's recommendation, B. Lynch said that he would like to make the contract award to Fuss & O'Neill, Inc.

S. Weisfeldt made a motion to endorse the Town Manager's award for the Digital Conversion of the Assessor Maps and GIS Implementation to Fuss & O'Neill, Inc., the project being funded at $35,000. P. Eliopoulos seconded the motion prior to its being approved by all selectmen.

Stop Loss Reinsurance Bid

B. Lynch mentioned that last year the re-insurance award went to CMS of Marshfield. This year the low bidder is Stop Loss Insurance Brokers for $6.72 per individual and $18.73 per family on a $75,000 specific deductible. He then recommended making a contract award to Stop Loss Insurance Brokers.

S. Weisfeldt motioned to endorse the Town Manager's contract award for the Stop Loss Reinsurance Bid to Stop Loss Insurance Brokers at the above-referenced dollar amounts. The motion was seconded by P. Eliopoulos and subsequently approved by all.

Highway Division Materials/Services Bid

B. Lynch advised the Board that the Highway Department solicits supplies and services bids every year about this time. M. McCall observed that for some line items only one bid had been received and asked if this was common. B. Lynch said that it was very common, particularly in this market. M. McCall then asked if the State mandated that awards must always go to the low bidder, and B. Lynch answered that the Town does have to go with the low bidder as long as the proposal meets the bid specifications.

Referring to Jim Pearson's memo of June 18, 1998, B. Lynch said that he concurs with J. Pearson's recommendation to award the contracts to the low bidders as outlined in the June 18 memo.

S. Weisfeldt motioned to endorse the Town Manager's award of the Highway Division Materials/Services Bid to the low bidders as outlined in Jim Pearson's memo of June 18, 1998. P. Eliopoulos seconded the motion, which was then unanimously approved.

SCHEDULED BUSINESS

Montview Road Opening Request

B. Lynch informed the Board that under the bylaws a road that has been resurfaced could not be opened for three years without the approval of the DPW Director and the Board of Selectmen. Lev Shlimovich of 12 Montview Road, in a letter dated June 10, 1998, requested permission to open a 3x3-foot section of Montview Road, which had been recently paved, to complete an oil to gas conversion project.

According to Jim Pearson in his memo dated June 22, 1998, due to a problem with the original pavement on Montview Road, there would have to be another one-inch overlay added to the road surface. For this reason, Lev Schlimovich could proceed with opening up a section of the road to complete his oil to gas conversion without a waiver from the bylaws by the Board of Selectmen.

UNSCHEDULED BUSINESS

Board of Selectmen Appointments

B. Lynch recommended that the Board appoint John Morrison and Francis Meithe to the Capital Planning Committee. S. Weisfeldt then made a motion for the Board of Selectmen to appoint these two individuals to said Committee. The motion was seconded by P. Eliopoulos and unanimously approved.

S. Weisfeldt then motioned to appoint Kopelman and Paige as Town Counsel for the Town of Chelmsford. P. Eliopoulos seconded the motion and a discussion ensued.

T. Moran said that he favors in-town legal representation. S. Weisfeldt replied that this would only work if there was a law firm in Town that specialized in municipal government but that there was not. T. Moran said that sometimes the Town receives legal opinions/recommendations on matters that Kopelman and Paige has already covered with another Town. B. Lynch responded that if Chelmsford has Town Counsel research a topic that it has already researched for another municipality, it reduces the service price for us. In addition, B. Lynch said that Kopelman and Paige distributes general advice memorandums at no additional charge to the Town. S. Weisfeldt pointed out that it is to our advantage that Kopelman and Paige is not involved in local politics.

The motion to appoint Kopelman and Paige as Town Counsel for the Town of Chelmsford was then unanimously approved.

All Alcohol License—Bo-Mar-Fig

B. Lynch said that there was a question raised at a previous BOS meeting as to whether or not a creditor could get hold of the All Alcohol License in the bankruptcy proceedings of Bo-Mar-Fig. He asked Town Counsel for an opinion on this, and Counsel's opinion is that the standards a new licensee would have to meet would be the same no matter who the party is. He further stated that there is no need for a motion to let the trustee of Bo-Mar-Fig temporarily take claim of the license but that the matter could just be closed.

Chelmsford Telemedia Corporation

With reference to the "Memorandum of Understanding by and between the Town of Chelmsford and Chelmsford Telemedia Corporation," B. Lynch said that this is the same agreement that was signed three years ago with only some minor changes. He recommended that the Board designate Chelmsford TeleMedia Corporation (Channel 43), 75 Granitville Road, Chelmsford, MA, to operate the cable system's public access channel.

S. Weisfeldt made the motion to grant cable rights to Chelmsford TeleMedia Corporation as recommended by B. Lynch. The motion was seconded by P. Eliopoulos and unanimously approved.

Order for Joint or Identical Pole Locations—Bel Atlantic (Plan No. 942)

B. Lynch said that at the last BOS meeting the Board gave permission to Bell Atlantic to place five poles on Mill Road and to remove three contingent upon the poles on Davis Road being moved first. The Town Manager's office received a call shortly after the meeting from Bob McKrenski who is in the midst of building a $3 million office complex at the Mill Road site. Mr. McKrenski said that waiting for the poles to be moved on Davis Road will delay him from receiving utility services at his complex, which will hold up his project and thus cause him a hardship. He therefore asked that a reversal of the Davis Road stipulation be made by the Board of Selectmen.

W. Dalton commented that if the Board reverses its decision, the Town would have no means of coercing Bell Atlantic to move the poles on Davis Road. The Town has been trying to get the utility company to do this for two years now. B. Lynch said that he would be discussing the matter with some public affairs people from Bell Atlantic in the near future.

Although T. Moran felt that the utility companies are "really jerking us around," he recommended reversing the decision so as not to hold up a $3 million project. However, he would like to see a letter from Bell Atlantic informing the Board as to when the company plans to address the Davis Road issue. He went on to say that the misplacement of the poles on Davis Road is an emergency safety hazard and, this being the case, he questioned how Bell Atlantic could continuously fail to respond.

B. Lynch said that Bell Atlantic's primary function is to provide service to customers and that the company views the Town as a regulator. He added that if the Town intends to depress utilities for the Center Project, it is going to need Bell Atlantic's services and cooperation. For this reason, he said that it would not be in our best interest to play hardball with company representatives, nor can the Town hold Mr. McKrenski hostage because of Davis Road. He further stated that he would be spending more time with the utilities to straighten out things like the Davis Road situation even if it means meeting with representatives from Bell Atlantic on a weekly or biweekly basis.

W. Dalton agreed to waive the Davis Road stipulation provided that the BOS get something in writing from Bell Atlantic explaining how the company is going to handle the Davis Road problem. B. Lynch suggested that W. Dalton let him talk with the utility representatives to resolve the issue.

With reference to Bell Atlantic Plan No. 942, S. Weisfeldt made a motion to rescind the condition that poles on Davis Road be moved before allowing the utility company to place five poles on Mill Road and remove three. The motion was seconded by P. Eliopoulos and unanimously approved.

SELECTMEN REPORTS/REFERRALS

- S. Weisfeldt asked if the Town had been receiving test results from Glenview Sand and Gravel. B. Lynch said that Richard Day was in the process of obtaining this information and that John Coderre would be following up on his findings tomorrow.

- S. Weisfeldt voiced his concern about the Nashoba vacancy, and P. Eliopoulos said that candidates should be invited to the July 20 BOS meeting.

- S. Weisfeldt said that he was getting calls from people complaining about the recent Media One rate hike.

S. Weisfeldt then made a motion to adjourn. The motion was seconded by P. Eliopoulos and unanimously approved.

Minutes recorded by:

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

Town Clerk

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BOARD OF SELECTMEN MEETING MINUTES
9 November 1998

A regular meeting of the Board of Selectmen was held on 9 November 1998 in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

PUBLIC SERVICE ANNOUNCEMENTS

The following proclamations were read and distributed by Selectman Weisfeldt to the individuals listed below:

- Hunger/Homeless Week--one from the Town of Chelmsford and one from Paul Celluci (Sandy Donovan).
- Veterans Day (Regina Jackson).
- Hospice Month (no one available).

TAX CLASSIFICATION HEARING

Town Manager Bernard Lynch recommended that the Board of Selectmen vote to bring the town to a single tax rate for both commercial/industrial and residential property owners. This rate would be $18.11 per $1,000 valuation. The $1 million excess levy town meeting representatives agreed to put against FY99 taxes was included in the total tax value. Referencing a handout prepared by Diane Phillips listing the various tax classification options, Mr. Lynch said that the total tax value under a flat rate would be $2,405,306,815.

Douglas Hausler, Chairman of the Chelmsford Business Association Board of Directors, said that the Business Association strongly supports bringing the business and residential tax rates to parity, emphasizing that the tax system adopted twelve years ago pitched businesses against homeowners. He asked that the selectmen take this opportunity to eliminate what he and the Business Association consider an unfair practice.

Selectman Dalton then asked if anyone else wanted to come forward to speak. Receiving no reply, Selectman Weisfeldt motioned to close the public hearing. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Selectman Moran said he agreed that tax classification was an unfair practice and should be eliminated, particularly where doing away with it will not pass any additional taxes onto residential property owners. Selectman McCall agreed, saying that there are many small businesses in town and it is important to protect them. In addition, Selectmen Eliopoulos and Weisfeldt expressed their support to bring the tax rate to parity.

Selectman Weisfeldt motioned that the Board adopt a single tax rate of $18.11 per thousand for FY99. Selectman Eliopoulos seconded and the motion received unanimous approval.

FINANCE DIRECTOR—APPROVAL OF BORROWING

Charles Mansfield presented the selectmen with two long-term borrowing agreements that would be used to fund the sewer project in the Abbott Lane/North Gate Road and Hart Pond areas. Each bond would be sold to the Massachusetts Water Pollution Abatement Trust. The interest rate on the bonds would be 1.785 percent.

Sewer Interim Loan and Bond--Hart Pond Area

Selectman Weisfeldt moved that the town issue a bond in the amount not to exceed $6,472,195 pursuant to the General Laws and Votes of the Town and authorize the treasurer to issue the bond as outlined by bond counsel in items 1-6 (see attached). The motion was seconded by Selectman Eliopoulos and unanimously approved.

Sewer Bonds--Abbott Lane and North Gate Road Area

Selectman Weisfeldt moved that the town issue a bond in the amount not to exceed $7,350,000 pursuant to the General Laws and Votes of the Town and authorize the treasurer to issue the bond as outlined by bond counsel in items 1-6 (see attached). The motion was seconded by Selectman Eliopoulos and unanimously approved.

OPEN SESSION

Selectman Dalton said he would like to take this opportunity to thank everyone who voted for him in the state representative race.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Selectman Weisfeldt motioned that the Board approve minutes from the following BOS meetings:

- 14 September 1998 (regular and executive)
- 28 September 1998 (regular and executive)

- 13 October 1998 (regular)
- 19 October 1998 (regular)

The motion was seconded by Selectman Eliopoulos and unanimously approved.

UNSCHEDULED BUSINESS

Request for License to sell Christmas Trees—Chelmsford Little League

Selectman Weisfeldt motioned that the Board approve a license to enable the Chelmsford Little League to sell Christmas Trees at the Little League Fields on Route 110 from December 3-24, 1998, between the hours of 8:00 a.m. and 9:00 p.m. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Stop Sign Request—Byam Road and Robin Hill Road Intersection

Mr. Lynch reported that following an investigation by the Traffic and Safety Division of the Byam Road and Robin Hill Road intersection, Chief Caron recommended that a stop sign be installed there.

Selectman Weisfeldt motioned that the Board approve the installation of a stop sign at the Byam Road and Robin Hill Road intersection. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

One-day Alcohol License—St. Mary's Parish Hall

Selectman Weisfeldt moved that the Board approve a one-day beer and wine license for St. Mary's Parish Hall located at 25 North Road for November 21, 1998, between the hours of 7:00 p.m. and 11:00 p.m. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

Stop Sign Request—Moore Street and Brick Kiln Road

Mr. Lynch said that according to Chief Caron it would be advisable to install a stop sign on Moore Street where it intersects with Brick Kiln Road. Selectman Weisfeldt then motioned for the Board to approve the installation of a stop sign on Moore Street at the Brick Kiln Road intersection. The motion was seconded by Selectman Eliopoulos and unanimously approved.

TOWN MANAGER REPORTS

Robert's Field

Bernard Lynch reported that a parking lot extension at Robert's Field had been approved at town meeting and work at the site should begin within the next couple of weeks. At least the binder coat was expected be applied in time for the extension to be available for parking in the spring.

Golf Course

A lot of work has been going on at the golf course. Wet conditions on the seventh and eighth fairways will be remedied by bringing in fill to build them up. Although these two fairways will not be open for play by springtime, they are expected to be open by June. While work on the seventh and eighth fairways is being done, the two holes will be temporarily relocated.

Chelmsford Forum

The forum is in full operation, and Facilities Management Corporation has already begun making capital improvements by installing a new reflective ceiling. The new ceiling will result in better skating conditions and lower ice maintenance costs.

North Chelmsford Auto Parts

The fence is about 80 percent complete and privacy slats are in place.

Construction Projects

- The library project continues to move forward and the foundation should be completed within the next week and a half. By Thanksgiving week the second lane on Bartlett Street should be open. Work will continue throughout the winter and the project is expected to be completed by the fall of 1999.

  Selectman Moran said he was concerned about the costs associated with the project particularly where the project has experienced delays. Mr. Lynch said that the project was still within budget and that he would be willing to furnish him with some figures.

- The Center School project is moving ahead and is also still within budget. This project can't fall behind because the school has to be open by the beginning of the school year next September.

- The police station building project is expected to go out to bid in the March/April timeframe. The facility plans have to be redesigned because of the site change. Not only is the new site better than the original one but the new building design will also be better than the previous design.

Central Square

A 25 percent design hearing by the Massachusetts Highway Department for traffic improvements in the Center should take place in the near future. Mr. Lynch said he had recently met with Fleet representatives to discuss the parking issue.

Summer Street

Summer Street sidewalks have been installed and the street has been paved. The sidewalks will be paved next week.

Double Poles

Bell Atlantic has removed five double poles on Clancy Street and eight double poles on Maple Street. Although the double pole situation on Davis Road has not yet been rectified, the town is regularly communicating with Bell Atlantic to have the double poles removed.

SCHEDULED BUSINESS

Petition for Change of Manager on All Alcohol License—Town Meeting Restaurant

Attorney Joe Shanahan, representing Robert Scharn, said that Robert and Jacqueline Scharn bought the restaurant in 1983 and together with their three children have been operating it for the last 15 years. He said that Mr. Scharn wants to change the legal license so that his daughter Heidi can manage the establishment. Mr. Shanahan pointed out that Heidi has worked in every aspect of the restaurant's operation.

Selectman Eliopoulos asked if Heidi was TIPS certified, and Mr. Shanahan said he would ensure that she obtained this certification. Mr. Lynch indicated that background check information on Heidi was still outstanding.

Selectman Weisfeldt motioned that the Board approve Heidi L. Scharn as manager on the all alcohol license held by Robert J. Scharn for the premises known as the Town Meeting Restaurant at 88 Chelmsford Street, such approval being dependent upon a favorable response on all requisite background checks and confirmation that TIPS certification has been obtained. The motion was seconded by Selectman Eliopoulos and unanimously approved.

SELECTMEN REPORTS/REFERRALS

- Selectman Moran reported that the new telemedia truck is on order and should be in by January. Mr. Lynch said that the truck would be shared by PEG Access and the Police Department.

- With reference to the traffic forum, Mr. Lynch said it would be best to hold it in mid-January, after the holidays. As far as the format of the hearing is concerned, he suggested providing a general overview of trouble spots town officials are already aware of followed by some background information on what types of changes can and cannot be implemented. Then the public would be given the opportunity to report on traffic problems that town officials may not be aware of. Selectman Eliopoulos encouraged business owners to give their input. Selectman Dalton said that a date for the hearing would be announced a later meeting.

- Selectman Moran asked about the status of the old firehouse on Main Street. Mr. Lynch said he had sent a letter to Pop Warner about a month ago requesting that the exterior of the property be maintained. Selectman Dalton suggested sending someone over there to see if the maintenance work had been done and Mr. Lynch agreed to do this.

- Selectman Moran commented on the two new benches that were put out at both the Center and Vinal Square. He recommended adding more benches in these locations as well as flower planters and trash receptacles.

- Selectman McCall reported that copies of the Route 3 environmental impact study are available through the town.

- Selectman McCall expressed his concern about voter fraud and Mr. Lynch said he would find out if there were any legal methods that could be implemented to try to prevent it.

- Selectman McCall asked if landfill being trucked into the Glenview Sand and Gravel location was being monitored and Mr. Lynch said that the town receives monthly reports and payment.

- Selectman Eliopoulos suggested sending a letter to state legislators and the governor concerning the $500 per year ~~HOM~~ HMO pharmacy limit for seniors.

- Selectman Eliopoulos reported that he had spoken to Marty Meehan about funding for the skateboard park and was given the name of a contact person that Mr. Lynch could work with to possibly obtain funding.

- Selectman Eliopoulos reported that he had been receiving numerous calls about road openings due to the sewer project and that Jack Emerson had assured him that all roads would be closed up by November 15.

- Selectman Eliopoulos also asked for a report on the center and bike path projects particularly with respect to municipal parking.

- Selectman Weisfeldt reported that he was still getting calls about cable. Mr. Lynch responded that he has been working with other municipalities on the cable issue and has also spoken to representatives from RCN. Additionally, he said that an RFP for cable services was in the works and should be out early in 1999. People wanting to write a letter to the Massachusetts Cable Division to voice their concerns about cable service can obtain the address from the Town Manager's Office.

- Selectman Weisfeldt addressed the misconception that suppression of utilities will delay the sewer project. He emphasized that these are two entirely separate projects and that neither one will impact the other in any way.

- Selectman Dalton asked about the status of the traffic lights at Vinal Square and of repainting roadway markings there. Mr. Lynch said he would follow up with the state on the status of the markings. As far as the lights are concerned, Mr. Lynch said that their performance has been evaluated and they seem to be working as they should be. In addition, accident figures over a three-year period indicate that the traffic lights have made the intersection safer.

- Mr. Lynch said that a number of residents have asked how roads that are not currently accepted by the town can be accepted and that he is working with these residents. In order for the town to accept a road, the road must be built up to town standards. Any costs associated with doing this must be borne by the property owners who live on the road.

- With reference to the Freeman Lake dam, Mr. Lynch said that the water level reduction aspect of the project would cause an alteration of the wetlands, which would in turn trigger a legal process that town officials do not want to get involved in. For this reason the project has been broken down into two parts, with the water level reduction being treated separate from the dam repairs. The dam repairs, being the most important, will be treated first.

- Selectman Dalton reported that the school superintendent was forming a committee to monitor the facilities study. He then appointed himself and the town manager to the committee and said that another selectman would be chosen at a later time.

EXECUTIVE SESSION

Selectman Weisfeldt motioned for the Board to go into executive session for the purpose of discussing collective bargaining and a roll call vote followed: WFD—Aye, SGW—Aye, PME—Aye, TEM—Aye, and MFM—Aye.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

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I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held Nov 9, 1998, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

VOTED:

(1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $7,350,000 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and votes of the Town passed April 24, 1989 (Article 8) and April 29, 1996 (Article 15), for construction of sewers and other water pollution control facilities (the "Project");

(2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $7,350,000;

(3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price of not less than the principal amount of the Bond or Note, less the Town's allocated share of the costs of issuance of the Trust's bonds;

(4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement or Agreements with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;

(5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

(6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreements and the Project Regulatory Agreements relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Note were

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taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: Nov 9, 1998

Clerk of the Board of Selectmen

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I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held Nov. 9, , 1998, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

VOTED: (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed $6,472,195 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and votes of the Town passed April 24, 1989 (Article 8) and April 29, 1996 (Article 15), for construction of sewers and other water pollution control facilities (the "Project");

(2) That in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed $6,401,000;

(3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price of not less than the principal amount of the Bond or Note, less the Town's allocated share of the costs of issuance of the Trust's bonds;

(4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;

(5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and

(6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Note were taken in executive session, and that the official record of the meeting was made available to the

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public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: Nov 9, 1998

Clerk of the Board of Selectmen

Town Clerk

1998 DEC 16 PM 4:34

TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
23 November 1998

A regular meeting of the Board of Selectmen was held on 23 November 1998 in Room 204 of the Town Offices, 50 Billerica Road, Chelmsford, Massachusetts. The Board members present at the meeting were: William F. Dalton, Stuart G. Weisfeldt, Philip M. Eliopoulos, Thomas E. Moran and Michael F. McCall. Town Manager Bernard Lynch was at the meeting as was his assistant John Coderre. Julie Lefebvre, Executive Secretary, was also present.

FINANCE DIRECTOR CHARLES MANSFIELD—SHORT-TERM BORROWING APPROVAL

Finance Director Charles Mansfield told the Board that he was seeking approval for $5 million in temporary notes, $2 million of which would be applied toward library construction and $3 million for the Center School project. He said that out of 11 bids, BankBoston offered the most favorable financing with a net interest of 3.25 percent and a premium of $6,266.71. He therefore recommended that the bid be awarded to BankBoston.

Selectman Weisfeldt motioned to approve the sale of $5,000,000 Bond Anticipation Notes to the Town dated November 30, 1998, payable June 25, 1999, at Par and accrued interest (plus the premium indicated) as follows:

Purchaser: BankBoston $5,000,000 at an Interest Rate of 3.25 percent and a Premium of $6,266.71.

Selectman Weisfeldt further moved to confirm the consent dated November 18, 1998, to the financial advisor bidding for the notes. The combined motions were seconded by Selectman Eliopoulos and unanimously approved.

HOLIDAY DECORATING COMMITTEE ANNOUNCEMENT (DONNA JOHNSON)

Donna Johnson, representing the Holiday Decorating Committee, announced that the Holiday Lighting and Prelude for the Town of Chelmsford was scheduled for Sunday, December 6, from 4:00-6:00 p.m.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Selectman Weisfeldt motioned to approve minutes from the 9 October 1998 BOS meeting (regular and executive). Selectman Eliopoulos seconded and the motion was unanimously approved.

UNSCHEDULED BUSINESS

Temporary Closing of Worthen Street

Town Manager Bernard Lynch said that he had met with Chief Armand Caron, Lt. Raymond McCusker, and James Pearson to discuss traffic on Worthen Street. Results from a recent traffic survey indicate that motorists are entering Worthen Street at North Road to circumvent traffic on North Road, resulting in a logjam of vehicles in this area.

Selectman Weisfeldt moved that the Board approve making Worthen Street a one-way at North Road between the hours of 6:30 a.m. and 9:00 a.m. Monday through Friday until Central Square traffic improvements are implemented. The motion was seconded by Selectman Eliopoulos. During discussion Selectman Moran said he would like to see the same type of sign put up on Linwood Street. Mr. Lynch said he would ask Chief Caron to review the Linwood Street intersection to see if it would lend itself to the same type of signage. Following this, the motion was unanimously approved.

SCHEDULED BUSINESS

Chelmsford Housing Authority Presentation

David Hedison, Executive Director of the Chelmsford Housing Authority, began his presentation on housing for the elderly and disabled in Chelmsford. He said that the Housing Authority is a state agency operating in the town of Chelmsford and as such is governed by state regulations. The agency is self-supporting, operating on funds provided by rental income from the 176 elderly/disabled units owned by the Housing Authority.

Currently there are 188 people on the waiting list for housing placement with a waiting period anywhere from 3-10+ years depending on an individual's status as a local veteran (3-5 years), local non-veteran (5-7 years) or non-local individual (10+ years). People in emergency situations are given the highest priority in the selection process. The income limit for housing is $31,700 for a single person and $36,256 for two people, and there are no asset limitations. Rents are based on a percentage of income. A person must be at least 60 years old to qualify for elderly housing.

Selectman Dalton said that one of the Board's goals is to develop more elderly/handicapped housing to reduce the length of time people have to wait for placement, and he suggested that Mr. Lynch set up a meeting with the Housing Authority to further discuss this. Mr. Hedison explained that Chelmsford is unique in that the majority of communities in Massachusetts have a surplus of elderly housing units. In order to assist these communities in their efforts to attract

eligible renters, the state has lowered the age people have to be to qualify for elderly housing and eliminated the asset limitation requirement.

Vrouhas Inc. d/b/a Hi-Way Farm Market—Change of Manager

Spiros Vrouhas, representing Hi-Way Farm Market, said that Venus Lucas-Soukaras has worked at the liquor store for 15 years and is knowledgeable about the business. Mr. Vrouhas said that Venus is not TIPS certified.

After a brief discussion Selectman Weisfeldt moved that the Board approve Venus Lucas-Soukaras as the new manager on the Package Store All Alcohol License held by Charles Vrouhas for the premises known as the Hi-Way Farm Market located at 259 Littleton Road, such transaction contingent upon a favorable outcome of requisite background check as well as Ms. Lucas-Soukaras becoming TIPS certified within the next six months.

Fuel Storage

Herbert Allum and Robert Long, representing the Bruce Transportation Group, were present at the public hearing. Mr. Allum explained that he was seeking to obtain a license to store diesel fuel at One Ward Way. In the past a fuel tank had been stored in a fenced-in area at this location. Bruce Transportation now wanted to store its own tank in the fenced-in area at this site.

Since no one came forward in favor or against, Selectman Weisfeldt moved to close the public hearing. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

After a brief discussion with the Bruce Transportation representatives, it was discovered that abutters to One Ward Way had not been notified and that Mr. Allum now wanted to purchase a 6,000 gallon tank instead of a 2,000 gallon tank as specified in the licensing paperwork. For these reasons Mr. Lynch recommended that the hearing be discontinued and rescheduled for the January BOS meeting. This would allow Mr. Allum time to revise the licensing paperwork to reflect the increased tank capacity and to notify abutters of his intention to store fuel at One Ward Way.

UNSCHEDULED BUSINESS (Continued)

One-day All Alcohol Beverages Licenses—St. John the Evangelist Church

Selectman Weisfeldt motioned that the Board issue a one-day all alcoholic beverages license to St. John the Evangelist Church at 115 Middlesex Street for December 5, 1998, from 6:30 p.m. to 12:30 a.m. for an annual appreciation dinner. The motion was seconded by Selectman Eliopoulos and unanimously approved.

Two One-day Beer and Wine Licenses—Ss. Vartanantz Armenian Church

Selectman Weisfeldt motioned that the Board issue two one-day beer and wine licenses to Ss. Vartanantz Armenian Church at 180 Old Westford Road for December 4 and 5, 1998, from 12:00 p.m. to 8:00 p.m.

TOWN MANAGER REPORTS

Public Improvement Projects

Mr. Lynch reported that the redesign of the police station is in the works.

Although there are some financial issues with regard to additional roof work at Center School, the project is on schedule and should be finished by the beginning of the next school year.

Mr. Lynch said that he had been meeting regularly with the contractor for the library and that this project is also moving forward. The foundation is just about all in and the steel supports are beginning to be erected. Bartlett Street will be back to two lanes by the beginning of December.

Referencing a project expense report for the library project, Mr. Lynch said that the total budget allowance for the project is just under $4.9 million. To date expenditures total $1,289,778. The anticipated completion timeframe for the library is late August. Although the contractor has indicated that additional time may be needed to complete the project, the town has not yet consented to any contract extension.

Average Tax per Household

In 1998 Chelmsford was ranked 45th in the state of Massachusetts in terms of average tax per household. Through the actions the town has taken over the last several years, Chelmsford moved to the 54th position in FY98. It is anticipated that the town will be ranked 58th or 59th for average tax per household in FY99.

SCHEDULED BUSINESS (Continued)

Bell Atlantic—Petition for Conduit Locations on Pine Hill Road

Kathy Frazier, representing Bell Atlantic, said that this petition was being made to enable Bell Atlantic to provide service to a new four-house development being built on Helen Way.

Since no one came forward to speak either in favor or against the petition, Selectman Weisfeldt moved to close the public hearing. Selectman Eliopoulos seconded the motion, which was then unanimously approved.

Selectman Dalton asked Kathy Frazier about the status of the double poles. Ms. Frazier said that Bell Atlantic has been working this issue in conjunction with other utilities on a regular basis. In response to Selectman Dalton's inquiry about Davis Road, Ms. Frazier said that there

was a problem over the placement of one of the poles due to a complaint from an abutter. Ms. Frazier said that Bell Atlantic is working to resolve this problem, which may involving blasting in order to relocate the pole.

Following this discussion, Selectman Weisfeldt moved that the Board grant permission to Bell Atlantic to lay and maintain approximately 17 feet of underground conduits and manholes, with the wires and cables to be placed therein, under the surface area of Pine Hill Road as identified in Plan No. 951. The motion was seconded by Selectman Eliopoulos, then unanimously approved.

TOWN MANAGER REPORTS (Continued)

Route 3 Environmental Impact Report

Bernard Lynch reported that the state has released the Route 3 Environmental Impact Report. The Northern Middlesex Council of Governments (NMCOG) reviewed the report and sent a letter to Trudy Coxe of the Executive Office of Environmental Affairs to express its support of the Route 3 project. In this letter NMCOG emphasized that the Route 3 project is a priority and that NMCOG is confident that concerns raised in the past have been adequately resolved.

Chelmsford also had concerns in the past with regard to water quality and noise. The state responded by agreeing to reduce salt usage by relying in part on alternative substances for road surface treatment. In addition, the state plans to erect an ample number of sound barriers along the Chelmsford portion of Route 3. Based on these accommodations Mr. Lynch said he would concur with NMCOG in encouraging the state to proceed with the next project phase. He also mentioned that Lowell had sent a letter of support to the state. Mr. Lynch then asked the Board for a motion in support of the Route 3 widening project. If the Board voted to support this effort, he would draft a letter to Trudy Coxe expressing Chelmsford's endorsement of the state advancing to the design and permitting phase of the project.

Selectman Weisfeldt moved that the Board endorse continuance of the Route 3 North Transportation Improvements Project. This motion was seconded by Selectman Eliopoulos and subsequently approved.

Voting Procedures

As a follow-up to the voter fraud issue raised at the previous meeting, Mr. Lynch handed out voting procedures/laws to the selectmen. These procedures/laws are regulated by the state of Massachusetts. According to state regulations, towns cannot control elections by local by-laws.

SELECTMEN REPORTS/REFERRALS

- Selectman Moran announced that Mass Highway would be holding a 75 percent hearing on the Bruce Freeman Bike Path on December 2 at 6:30 p.m. at the Senior Center.

- Selectman Moran, referring to the newly paved sidewalks on Summer Street, said they look great. Mr. Lynch said a second coat of asphalt would be applied to the sidewalks this fall.

- Selectman Moran asked if any progress had been made on the skateboard park. Mr. Lynch said a site had not yet been found but he expected to have one within 60-90 days. The plan is to begin construction next spring.

- In response to Selectman Moran's inquiry about the traffic hearing, Mr. Lynch scheduled it for January 20, 1999. Mr. Lynch suggested forwarding the ideas generated at this meeting to the police traffic and safety division for its review and recommendations. Based on these, town officials could formulate a master plan for implementing traffic improvements. Mr. Lynch indicated that there is a staffing issue at the police department at this time but that he has been talking with the police chief in an effort to free up some officers to work on this project.

  Mr. Lynch reported that he had recently submitted to the state a request for funding under the State Transportation Program for traffic improvements at two Route 4 intersections (Parkhurst Road/Davis Road and Dalton Road). Proposed improvements at these intersections would include the installation of traffic signals. Selectman Eliopoulos indicated that the town might also be eligible for hardship money that is being set aside by the state for the Route 3 project.

  Selectman Eliopoulos asked the town manager if he could put together some information pertaining to the types of traffic changes the town can and cannot implement so the selectmen will have this information for the public hearing.

- Selectman McCall reported that a number of people had expressed their sadness about the closing of Skip's Ice Cream earlier in the week. He said that people hope to see the aesthetic value of the town preserved with whatever type of business is built at the Skip's site. Selectman Dalton said that the Planning Board and other town boards involved in new construction projects would ensure that whatever is built on the site is done appropriately.

- Referencing the 1999 Winter/Spring Sewer Project Update, Selectman Weisfeldt reported that in 1997 the Massachusetts Department of Environmental Protection (DEP) changed the guidelines used to rank projects for funding. As a result, the East Chelmsford Sewer Project was initially ranked below the cut-off for funding, making it the first sewer project since the mid-1980s not to qualify for financial assistance by the DEP. After waging an aggressive legislative lobbying campaign in early 1998, however, the Sewer Commission was successful in having the project elevated to fundable status. The big hurdle now is for the Commission to convince the DEP to fund the remainder of the sewer project. Ironically, the DEP, which is the agency that enacted and enforces Title 5, is no longer amenable to providing the financial assistance necessary for Chelmsford to pay for its chosen methodology for Title 5 compliance.

- Selectman Dalton asked about the stop sign on Moore Street, and Mr. Lynch said that the DPW had been instructed to put it up.

- Selectman Dalton said he had received a complaint about some loose railroad tracks at the crossing on Meadowbrook Road.

- Selectman Dalton asked Mr. Lynch if he could contact Brenda Lovering to inquire about the specific areas around the town that she feels need aesthetic attention.

- Selectman Dalton suggested that the Traffic and Safety Committee become more active. Members should elect a chairman, meet on a regular basis, and be provided with a clear objective.

Minutes recorded by:

Julie A. Lefebvre

Julie A. Lefebvre
Executive Secretary

cc: Town Clerk
Finance Committee
School Committee

4 January 1999

The Chelmsford High School Alumni Association proudly announces its ninth annual Hall of Fame Induction. The ceremony will take place on the evening of the 20th of March 1999 at the Doubletree Inn in Lowell at 6 PM. The program will include a social at 6:00; dinner at 7:00 and the induction at 8:00 PM.

Those being inducted are as follows:

Joyce Eldering Barnard
Class of 1977

George J. Betses
Principal

Evelyn J. Desmarais
Class of 1947

Edward A. Fox, Jr.
Class of 1942

Edgar P. George
Class of 1937

Gerald L. Hardy
Class of 1954

Ina Butterfield Phelps
Class of 1945

James E. Rich, Jr.
Class of 1970

Robert F. Smith
Class of 1950

For information relative to the purchase of tickets for the induction ceremony, please call Joseph Marcotte at 251-4487 or George Simonian at 256-3100.

1999 JUL -6 PM 12:08

BOARD OF SELECTMEN MEETING MINUTES
JANUARY 11, 1999

A regular meeting of the Board of Selectmen was held on January 11, 1999 at Town Offices at 7:00 p.m. Board members present were: Sel. Dalton, Sel. Weisfeldt, Sel. Eliopoulos, Sel. Moran and Sel. McCall. Also present were Town Manager B. Lynch, J. Coderre and M. Currier.

PUBLIC SERVICE ANNOUNCEMENTS

Sel. Weisfeldt read letters of commendation to Kelly Flynn and Jacqueline Martin for achieving the Gold Award. The Board presented each girl with a key to the Town. Jane Moores, another Gold Award recipient was unable to attend the meeting. Kelly Flynn accepted a key and letter on Jane's behalf.

OPEN SESSION

Evelyn Thoren invited the public and the BOS to a forum on "You, Your Child and the Law" sponsored by the CHS PTO on January 14.

Ms. Thoren said that she had been contacted by concerned residents about inadequate lighting at Richardson Road near the Harrington School and the High School. Sel. Dalton said that they would look into it and get back to her.

Peggy Dunn provided the Board with an update on the Winterfest activities. She reported that a dance would be held at the Elks, the Central Congregation Church was holding a Pancake Breakfast, various outdoor activities would be taking place throughout town, a Chowderfest will be at the Senior Center and a variety show willl be at the Old Town Hall. She encouraged the Board and the residents to get out and join the fun.

TOWN MANAGER REPORTS

The Town Manager said that he wanted to inform the Board that he is aware of the Y2K problem and he is taking the necessary steps to be ready when the change occurs. He said that the town is in very good shape for the upcoming century change.

Bernie reported that no bids were received for Brickhouse Pizza. He said that he is getting a market analysis done on the property and looking at other options for the property. Bill asked if the building would be suitable for the Fire Prevention office. Bernie said he would look into it and get back to him.

Bernie provided the Board with a written report (see attached) on Freeman Lake to follow up to Mr. Merrill's concerns at the previous meeting. Bernie explained that to drawdown the lake 6-12 inches, repair the spillway and replace the valve the entire project would have to go through the MEPA process. Bernie reported that a decision was made to go through a three step process so that the replacement of the valve and repair of the dam was not held up 6-9 months waiting for MEPA. Bernie explained that the drawdown must go through several jurisdictions before receiving approval. Bernie reported that he has filed with the Conservation Commission for the replacement of the valve and it was approved on January 5, 1999. Work will be done this Spring. Bernie reported that the Town will have to hire an engineer to take them through the MEPA process.

George Merrill was present and stated that the lake never had a level, that the lake varied by 3 feet seasonally and the water usage governed the level of the lake. Bernie explained that the Fay, Spofford and Thorndike report in the late 1970's recommended that the lake be raised to 122 feet. Mr. Merrill said that the valve should not be replaced, if its not broke don't fix it. Sel. Dalton said that the Town wants to put in the appropriate valve so we don't have any problems in the future.

Sarah Quinn suggested that the Town poll all the abutters and ask them what level they want for the lake or send abutters a summary of the proposal so they know what's going on.

Wanda Dunn said that she thought the level of the lake was determined by the stop logs in the canal and asked if the outlet will be back when the water is drawn down. Bernie said the outlet would be back.

Tim McCarron said the inlet has not been addressed. He suggested that the Town get structural engineers to proceed with the project.

Ron Carr from Shore Drive said that the level of the lake is fine the way it is. He said in the Master Plan it states the Town must protect our resources and he hoped the Board did not lose sight of that plan.

Mr. Merrill said the D.E.M. survey from 1995 stated that the dam was in poor condition. That after a visual inspection took place the spillway/outlet may have to be repaired and the trees and brush should be taken care. He further stated that the report said the Town should consider having an Emergency Action Plan and Operation Manual. Bernie responded that Weston & Sampson had checked the structural integrity of the dam and it was in very good condition. He further reported that the brush and trees had been cut and the roadway was paved. Bernie said that the Town does have an Emergency Plan in draft form.

SCHEDULED BUSINESS

Herb Allum, a representative of **Bruce Transportation**, explained to the Board that they wanted to increase their license to 6,000 gallons of diesel fuel above ground. He further explained that they have had no problems with leaks and daily inspections are done on all tanks. Tom asked if

they maintain insurance on all tanks. Mr. Allum assured him that all tanks were insured. No one was present to speak for or against the application. Sel. Weisfeldt made a motion to grant the license to store 6,000 gallons of diesel fuel, aboveground, at One Ward Way with the stipulation that Bruce Transportation provide the Town with a copy of the insurance policy. The motion passed unanimously.

Mike Wilson, **Carvel Ice Cream Bakery,** told the Board he was the new owner and was requesting a transfer of the Common Victualer license. Sel. Weisfeldt made a motion to grant the transfer of the license. The motion passed unanimously.

Bernie explained that the applicant on the agenda for a Class II Auto Dealers license had withdraw their application.

Atty. Joseph Shanahan, representing **Town Meeting Restaurant**, stated that he was before the Board to clear records that the ABCC should have on file but did not. He explained that he came before the Board in 1981 to change the name on the license from Adie Brothers to Robert J. Scharn, Inc. In November of 1998 he came before the Board to change the manager at the restaurant but the request was rejected at the ABCC because they had no record of the change from Adie Brothers to Robert Scharn. Mr. Shanahan met with the ABCC and they recommended that to clear the issue Town Meeting had to come before the local licensing authority. Mr. Shanahan asked the Board to approve the transfer of the Town Meeting Restaurant license from Adie Brothers Corp. to Robert J. Scharn, Inc. and approve the change in manager from Robert Scharn to Heidi Scharn. No one was present to speak in the public hearing. Sel. Weisfeldt made a motion to approve Mr. Shanahan's request. The motion passed unanimously.

Henry Ho was present on behalf of **Sakura Japanese Cuisine** requesting a Beer and Wine license. Sel. Dalton asked if anyone was present to speak at the public hearing. Brad Emerson, Boston Road, asked the hours of operation. Bill read from the application -11:00 a.m. - 11:00 p.m. Mr. Emerson said that with residential abutters on two sides of the property he thought 11:00 p.m. on Sundays was to late. There being no other residents to speak the public hearing was closed. Bernie told the Board that Amici's, which is in the same strip mall, is open until 9:00 on Sundays. Sel. Eliopoulos asked the applicant if he would be amenable to the 9:00 p.m. closing on Sundays. Mr. Ho said that he would agree to the 9:00 p.m. if necessary but they expect to be closed before 11:00 on Sundays. Sel. McCall said that he would prefer to be consist with the other restaurants in the area. Mr. Emerson said that he did not want the restaurant to become a late night bar room. Bernie said that the floor plan was missing from the packet and explained to Mr. Ho that if the Board could see the plan it might alleviate concerns about a lounge or bar. Mr. Ho said there was no lounge. Sel. Dalton told the applicant that it was the Board's policy to vote at the next meeting and that he could submit the floor plan to the office for the next meeting. Sel. Weisfeldt made a motion to waive the policy on waiting until the next meeting to vote on a liquor license. Sel. Eliopoulos seconded. Mr. Moran said that he was not in favor of the motion that the Board should stick with the policy. The motion failed. Bill told Mr. Ho that they would vote on his application on the 25th.

UNSCHEDULED BUSINESS

Sel. Dalton stated that Ss. Vartanantz had applied for a One-Day Beer and Wine License for January 24th and an All Alcoholic License for February 6th. Sel. Weisfeldt made a motion to approve the two licenses. The motion passed unanimously.

TOWN MANAGER CONTRACT AWARDS

Bernie recommended that Stoneham Ford be awarded the contract for a one-ton truck for the Cemetery Department for $25,124. Sel. Weisfeldt made a motion to approve the Town Manager's recommendation. The motion passed unanimously.

Bernie recommended that Community Tree Service be awarded the contract for the Dalton Road Tree Removal Project for $8,960. Sel. Weisfeldt made a motion to approve that Community Tree be awarded the contract for tree removal on Dalton Road. The motion passed unanimously.

Bernie recommended that Chadwick-BaRoss be awarded the contract for a sidewalk plow for $62,660. Sel. Weisfeldt made a motion to award the sidewalk plow contract to Chadwick-BaRoss. The motion passed unanimously.

SELECTMEN REFERRALS

Sel. Moran asked Bernie to report on the upcoming Traffic Forum. Bernie said that when they were setting up goals for the upcoming year they recognized that traffic is a major issue. A forum will be held at the Senior Center on January 20, at 7:30 p.m. to hear from the residents about traffic issues and to report on how the Town is currently dealing with traffic problems.

Tom said he would like a spreadsheet on liquor licenses showing a listing of conditions on each license. Bernie said that he is working on it.

Sel. Eliopoulos asked that a letter be included to liquor license holders, during the renewal process, stating the hours of operation do not mean that the last drink is served when the door is closed.

Sel. Elioploulos said that he would like to see a flyer put in the tax bills on the Senior Pharmacy Program. Bernie said tax bills are regulated by the state and they don't allow it. Bernie suggested including the info in the census, the newsletter and the Senior Bulletin.

Sel. Dalton asked Bernie to invite Bob McArthur to the next meeting. Bill asked Bernie to set up a meeting with B&M regarding the railroad tracks at Meadowbrook. Bill said the tracks have weakened and the trains are going very slow, causing a long wait at the crossing.

Sel. Weisfeldt asked if Gerry was still the manager at CCC. Bernie said that his hours had been reduced and he may move to the Franklin Park course. Bernie said he will ask Sterling to a meeting for an update.

SAKURA JAPANESE CUISINE

Henry Ho came back to the meeting with a floor plan and asked if the license could be voted on tonight. Stu made a motion to waive the policy of holding off until the next meeting to grant a liquor license. Tom said he was in favor of the policy. Mike said that he understands that the policy has been waived many times and Mr. Ho has provided them with a floor plan and there is no lounge. There was a discussion on the interpretation of the policy. Phil said the policy is for an existing license not new licenses. Tom said it is his interpretation that the policy is for new licenses and that is how he is going to vote. After discussing the policy for some time Bernie said it was time to rework the policy. Stu asked for a work session with counsel to review the policy and the rules and regulations. Sel. Weisfeldt made a motion to waive the two week period to grant a liquor license. The motion passed 4-1 (Mr. Moran in opposition). Sel. Weisfeldt made a motion to grant an All Alcoholic (Restricted to Beer and Wine) license to Khoo and Ng Corp. d/b/a/ Sakura Japanese Cuisine contingent upon obtaining TIPS certification and the town receiving a favorable background check on the manager for the hours of 11:30 a.m. - 11:30 p.m. weekdays and 12:00 noon to 11:00 p.m. on Sundays. The motion passed 4-1 (Mr. Moran in opposition).

At this point in the meeting the Town Manager asked the Board is they wanted to make a motion regarding Freeman Lake. Sel. Weisfeldt made a motion to lower the lake to a level of 120 feet 6 inches. The motion passed unanimously.

Sel. Dalton said that the Board would be going into Executive Session for the purpose of real property. Sel. Weisfeldt made the motion, Sel. Dalton polled the Board: Sel. Moran-Aye, Sel. McCall-Aye, Sel. Eliopoulos-Aye, Sel. Weisfeldt-Aye, Sel. Dalton-Aye.

There being no further business the meeting adjourned.

Respectfully submitted

Marian Currier

BOARD OF SELECTMEN MEETING MINUTES

1999 JUL -3 PM 12:03

February 16, 1999

A regular meeting of the Board of Selectmen was held on February 16, 1999 at Town Offices at 7:00 p.m. Board members present were, Bill Dalton, Stuart Weisfeld, Philip Eliopoulos, Tom Moran and Michael McCall. Town Manager Bernard Lynch and Marian Currier, Support Services Coordinator were also present.

OPEN SESSION

George Simonian of the Chelmsford High Alumni Association announced the names listed below for the 1999 Hall of Fame:

Joyce Eldering Barnard - Class of 1977
George J. Betses - Principal
Evelyn Desmarais - Class of 1947
Edward A. Fox, Jr. - Class of 1942
Edgar P. George - Class of 1937
Gerald L. Hardy - Class of 1954
Ina Butterfield Phelps - Class of 1945
James E. Rich, Jr. - Class of 1970
Robert E. Smith - Class of 1950

Mr. Simonian stated that the event would take place at the Doubletree Inn in Lowell on March 20th at 6:00 p.m.

UNSCHEDULED BUSINESS

Two - One Day Liquor Licenses

Sel. Weisfeldt made a motion to approve two one-day liquor licenses for St. John's Church on February 13 and March 13. Sel. Eliopoulos seconded, the motion passed unanimously.

Liquor Policy

Sel. Eliopoulos stated that he presented the new liquor policy to the Board at the last meeting so they could review it and vote on it at a future meeting. He said he he rewrote the policy because he felt the old policy needed clarification. Bernie said that he could set up a work session with town counsel to discuss the policy and the regulations. Mike said they all had their own ideas on policies and regulations and the sooner Bernie could set up a meeting the better. Bernie said he would try to have Rich Bowen from Kopelman & Paige at a work session on March 1st, if possible.

TOWN MANAGER REPORTS

Double Pole Report

Bernie provided the Board with a report from Bell Atlantic on double poles. Bill said that the report showed the number of double poles are going. He asked Bernie how the Town can get a handle on it so the numbers don't keep going up. Bernie said with the economy being so strong the utility companies have to provide new service and meet D.P.U. requirements. Bernie said he would talk to Bell Atlantic and update the Board at the next meeting. Tom wanted Bernie to talk to Bell Atlantic about poles that have been taken down but not removed from the property. Bernie will check on this also.

Library Update

Bernie reported that the slab had been poured and the electrical and plumbing work has started. He said that they hope to be in the building by September or October.

Center School

Bernie reported that the project is on schedule, furnishings have been bid out and they are moving forward with telecommunications.

New Police Station Presentation

Bernie reported that the new Police Station would go out to bid in May, get started in the Fall and be complete by the end of the year 2000. He said the new site would be on Old North Road not at the station on 230 North Road. Bernie introduced Armand Caron, Police Chief, and Joe Griffith from Kastle Boos who made a presentation on the new station. Mr. Griffith displayed drawing of the building showing the two story building from the front view and a three story building on the back side of the building. Sel. Dalton asked if a firing range would be in the basement. Bernie said that the budget is tight but they will look at it in the future. Bill said they should try to get the firing range done when they are under construction, if possible. Bernie agreed. Bernie said the building should last 30- 40 years.

Warrant Articles

Bernie said that the Town Meeting warrant articles are the normal articles for the Spring meeting. He will give the Board a draft copy of the warrant when it is further along.

SCHEDULED BUSINESS

Iza Pizza

Donald Rocheford reported to the Board that he was requesting a transfer of the Common Victualer license of IZA Pizza at 17 Vinal Square. He will keep the name IZA Pizza and would like to operate between the hours of 11:00 a.m. - 9:00 p.m. Sel. Weisfeldt made a motion to approve the transfer of the Common Victualer license of IZA Pizza to Donald Rocheford, contingent upon a Food Service Permit from the Board of Health and for the hours of 11:00 a.m. - 9:00 p.m. Sel. Eliopoulos, seconded, unanimous.

Drainage Issues - 14 Chelmsford Street

Bob McArthur, property owner at 14 Chelmsford Street, reported to the Board that he had a few telephone conversations with Brad Emerson and two meetings with Brad regarding the water from his property running onto Brad's property. Bob said that he worked for four hours taking earth and silt out of the area where the water collected. Mr. McArthur hoped that this would solve the problem and would be happy to meet with Brad when he comes back from Florida. Bill Dalton said he would like to attend the meeting with Brad and Bob to make sure that the matter has been resolved.

Bell Atlantic Petition - Brick Kiln Road

Bernie said the petition before them was to lay 6 feet of underground conduit on Brick Kiln Road near Jennafer Lane. Bernie further stated that Jim Pearson had reviewed the petition and recommended approval. There were no abutter present. Sel. Weisfeld made a motion to approve the petition, seconded by Sel. Eliopoulos, unanimous.

APPOINTMENTS

Deputy Constables

Bernie read the following names for appointment as Deputy Constables:

Henry Sullivan
Judith MacDonald
Brian Sullivan
Kevin Whippen
Edward Finn
Robert Rallis
Joseph Connell
Matthew St. Hilaire
Mark Lewis
Donald Stout

Sel. Weisfeld made a motion to approve the appointments for Deputy Constable as presented by the Town Manager, Sel. Eliopoulos seconded, unanimous.

SELECTMEN REFERRALS

Sel. McCall reported that traffic at Drum Hill Road and the rotary has been increasing. He said that it is difficult for cars to get into the stores on Drum Hill Road due to the back-up of vehicles from the rotary. Bernie said he would add Drum Hill to the Action Plan.

Sel. McCall further stated that it was sad to see Bill and Andy's and Skip's close. He urged residents to use local stores so we can keep small businesses in town.

Sel Eliopoulos said that he would like to discuss, at a future work session, ways to help the stores and businesses through hard times. He stated that the Economic Development Partnership is a dormant entity but perhaps they could shift gears from commercial to retail.

Sel. Eliopoulos reported that he talked to members of the Finance Committee who expressed their concerns about the Nashoba budget. Bernie explained that no capital reinvestments took place for many years. Bernie said he is working with Nashoba on a numbers of projects that could come off the capital budget and be bonded over a period of time.

Phil also reported on a article he saw on the Mass. Preservation Project Fund for the renovation of historic building. Bill said that they were aware of the funding and a grant was submitted for the North Town Hall but the Town did not receive the money because it was not considered an historic building. Tom said that work was coming along at the North Town Hall. He said Nashoba will do the wiring Bernie said that before too much work is done the feasibility of the building must be determined and he thought the committee was established to do so. Bernie said that it would be very costly to bring the building up to code and make it handicap accessible. He said that the operational costs should be addressed by the North Town Hall Committee in the feasibility report.

Sel. Weisfeldt thanked Peggy Dunn for a great job on Winterfest and reported that Bill and Edie Martin did an excellent job on the variety show.

Sel. Dalton asked Bernie about the status of the Boy Scout House. Bernie said that he had not been approached by anyone about the building. He said the Town's only interest is if the building is sold we are entitled to a share of the profits. Bernie will keep an eye on the status of the building.

Sel. Dalton asked about the Nashoba appointment. Bernie said that the Moderator advertises it. Bill asked if it was on cable. Bernie said he would check.

Sel. Weisfeldt made a motion to go into Executive Session for the purpose of real property and pending litigation; Sel. McCall-Aye, Sel. Moran -Aye, Sel Eliopoulos-Aye, Sel. Weisfeld-Aye and Sel. Dalton-Aye.

There being no further business the meeting adjourned

Respectfully submitted

Marian Currier

BOARD OF SELECTMEN - WORK SESSION

MARCH 1, 1999

1999 JUL -6 PM 12:09

A work session of the Board of Selectmen was held on March 1, 1999 at Town Offices. Board members present were: Sel. Dalton. Sel. Weisfeldt, Sel. Eliopoulos, Sel. Moran and Sel. McCall. Also in attendance were Town Manager Bernard Lynch, John Coderre Asst. to the Town Manager, Marian Currier Support Services Coordinator, Atty. Rich Bowen from Kopelman & Paige, Dennis Ready, former Selectmen, and John Harrington from the CBA.

The Town Manager introduced Rich Bowen from Kopelman and Paige and said that Rich was here to answer questions about liquor policies, rules and regulations. Rich said that he had drafted the liquor license regulations the Board was considering adopting. He said that these regulations may or may not apply to our situation, for example, the section on dress code can be removed if it is not needed in Chelmsford.

Tom asked Rich about the requirements for new employees on becoming certified within seven days. Tom said that it does not address certification for managers. Bernie and Rich said that the Board could be specific on the time frame for managers to get certified. John Harrington said that the window for new employees is 30 days. Rich suggested that the Board amend page 18 section 1.19(c) by crossing out new and changing seven days to thirty day in the Rules & Regulations.

Phil asked if the policies should be incorporated into the rules and regulations. Rich recommended that they be incorporated into one documents, if possible.

Dennis explained to the Board why the original policy of postponing a vote on a liquor license to the next meeting was put in place. He said that if the Board wanted to deny a license they needed time, after the public hearing and before the vote was taken, to have counsel help with motions for denial. Dennis said the only time the policy should be waived is if a manager gets fired or some other type of extenuating circumstance exits beyond the license holders control. Atty. Bowen said that the attorney should not be writing the findings of fact. He explained that each member, on their own, should consider the application during the two week waiting period. Rich said the Board has 30 days to act on an application.

Rich said that when a new application comes before the Board the only issue is one of public need. Rich said that the policy dated July 14, 1997 is a good effort. He said it makes the Board articulate some of things they should articulate when reviewing an application. If the Board wants to deny a license they should make a finding of fact. For example, Rich said a motion should be made stating "I move that we make a finding that there is no public need because a license exists across the street, or "I make a motion that there is inadequate parking". Make a motion on each "fact". Then a motion can be made to disapprove the application.

Rich said it was not a good idea to make a blanket statement that no more licenses are needed in Town if some are still available. Because the ABCC gives the town a quota, a blanket statement to this effect would be hard to defend.

Tom asked if the applicant has an attorney at the hearing to represent them could the Board speak to the applicant directly. Atty. Bowen said that it is the Board's responsibility and duty to ask questions of the applicant.

Rich explained that if the Board adopts the rules and regulations a public hearing should be held, a notice should go in the newspapers two weeks ahead of time, and notification of the hearing should be sent to the license holders. Rich explained that in a disciplinary case the Board can state in a notice letter that "On 7/1/98 it is alleged that employees of your establishment violated regulation whatever" and the license holder can't claim that they did not have notice of the new rules and regulations.

Rich was asked if the Board has the right to look at sales receipts for the amount of food sales vs. liquor sales. Rich said the Board does have the authority to investigate but it is difficult to enforce. He said many towns have this problem and you have to be a CPA to figure it out.

Rich said that he would not hold one-day liquor license holders to the rules and regulations. He said that the Board has tremendous control on one-day licenses. Rich said that if the Board is against issuing several licenses to a particulate applicant they should have a policy on how many one day licenses will be issued to any one organization per year. If the Board does turn down a license they should articulate why because it is easier to defend if a reason is given. Rich also stated that the applicant should be present at the BOS meetings.

The Board asked when a license was not required for one day functions. Rich said that if the liquor is given away a license is not needed. He said the test is - can someone get a drink without paying. If the answer is yes than a license is not needed, if no then a license is needed. Tom asked about BYOB being in the regulations. Atty. Bowen said that unless you have a policy or by-law that forbids BYOB its allowed. There is nothing saying you can't do it. Rich said all you have to do is adopt a policy that states "Any holder of a Common Victualer License that wishes to have BYOB must first obtain permission from the Board of Selectmen".

A question regarding how at handle a pledge of a license was asked to R. Bowen. He said that when there is financing from a prior owner the Board **must** refer to it. It must be approved and recorded at the local licensing level.

A question was asked on how to handle a poor criminal history of an applicant. Rich said that the C.O.R.I. information should not be made public. If an applicant has a bad record the Board can deny the application but you must state that "upon review of the character of the applicant you are rejecting the application", or whatever, just state a reason why you are disapproving. Atty. Bowen further stated that if an applicant does not answer 14f on the application (re: conviction of violating state,federal or military law) you should reject the application.

It was agreed that the Board members would go through the Rules and Regulations and meet at a later date to discuss any changes or amendments that should be incorporated into the document.

Sel. Eliopoulos made a motion to adjourn. The motion passed unanimously.

Respectfully submitted,

Marian D. Currier

BOARD OF SELECTMEN'S MEETING

March 1, 1999

A regular meeting of the Board of Selectmen was held March 1, 1999 at 7:00 p.m. in Room 204, Town Offices. Board members present were: Sel. Dalton, Sel. Weisfeldt, Sel. Moran, Sel. McCall and Sel. Eliopoulos. Also present were John Coderre, Asst. to the Town Manager, Marian Currier, and Town Manager Bernard F. Lynch.

PUBLIC SERVICE ANNOUNCEMENTS

Sel. Weisfeldt read a proclamation on the Chelmsford Scholarship Fund and congradulated the directors on the committees achievements.

OPEN SESSION

No one was present to speak in the Open Session.

TOWN MANAGER REPORTS

Town Manager Lynch reported that the Nashoba appointment is coming up and that the deadline for applications is March 5th. Bernie reported that he has a couple of tentative dates for the joint meeting with the School Committee, either the BOS meeting March 15th or the School Committee Meeting on March 23rd. He will notify the Board when a date is confirmed.

Bernie read through the draft warrant and reported that the capital budget is larger than usual but using $900,000. of free cash and recapturing the reminder of funds from completed project helped to offset this budget. Bernie said he will have a final warrant for the Board to vote on at the next meeting.

APPOINTMENTS

Bernie said that it was a pleasure working with Chief Caron for the past few years, that Armand was a key player and brought many new programs forward. Bernie said that he knew he could look within the department for the right person to replace Chief Caron because there was so much talent in the department. The Town Manager appointed Ray McCusker as Chief of Police citing his dedication, years of experience and tremendous energy as factors in selecting Liet. McCusker. Chairman Dalton polled the Board and all five members voted in favor of the appointment. The new Chief thanked the Board of Selectmen and the Town Manager for having confidence in him and pledged to do his best to keep Chelmsford a safe community.

BOARD OF SELECTMEN REFERRALS

Sel. Moran said that he was pleased to see Walmart was coming to Chelmsford. He reported that he attended a School Committee meeting and was amazed at the amount of programs that Jack Fletcher has. Tom suggested that Bernie send a letter to Rep. Cleven and Senator Fargo asking them to look into fixing the bridge at Bainbridges and see if anything more could be done to get signalization on North Road. Bernie said that he would draft a letter of priority items to Carol and Susan for the Boards review.

There were no other referrals. Sel. Weisfeldt made a motion to go into a Work Session in room 205. The motion passed unanimously.

Respectfully submitted,

Marian Currier

BOARD OF SELECTMEN MEETING MINUTES

MARCH 15, 1999

A regular meeting of the Board of Selectmen was held March 15, 1999 at 7:00 p.m. at Town Offices. In attendance were: Sel. Weisfeldt, Sel. Eliopoulos, Sel. McCall and Sel. Moran. Also present were: Town Manager Bernard Lynch, John Coderre and Marian Currier. Selectmen Weisfeldt presided over the meeting in Chairman Dalton's absence.

PUBLIC SERVICE ANNOUNCEMENTS

Sel. Weisfeldt announced that the Chelmsford High State Wrestling Champions were present. Sel. Eliopoulos read their names and presented them with certificates of congratulations. Certificates were also presented to Catherine Gardner, an individual state champion in gymnastics, and Skip Bryan an individual state champ in swimming.

Sel. Weisfeldt congratulated Sel. McCall on the birth of his baby boy, Ronan Michael.

Teresa Conrad, representing Chelmsford Friends of Music, told the Board about the Art Auction they were holding on March 25 at the Elks. She reported that with education reform the number of students in the Fine Arts has doubled, thus the need for increased fundraising. She urged the Board and general public to come and support the CMOF.

SCHEDULED BUSINESS

Nashoba Technical School Interviews - Ted Lekas was the only applicant for the position on the Nashoba Technical High School Committee. Mr. Lekas asked to be re-appointed and told the BOS and School Committee that he has been getting up to speed with developments at the school in the eight months he served on the Committee. He said that he wants to insure the kids are getting an education that meets academic standards set by the State and that they become proficient in the vocation of their choice. Mr. Lekas said that he served on the Curriculum Sub-Committee and they are in the process of developing a new area of study, a pre-engineering program. Sel. Moran said that he went to the budget hearings and was very impressed with programs offered at the school. Ms. Thoren asked Mr. Lekas what the greatest challenge is for vocational schools today. Mr. Lekas said that as society becomes more technical the need for more money to become current with technology is the greatest challenge. Mary Frantz asked if old programs are being reviewed. Ted said that they are reviewing the old programs and the culinary program has been updated to hotel and restaurant management. Mary Frantz told Mr. Lekas she heard a bill to help vocational schools update equipment was sponsored by Sen. Kanapic. Mr. Lekas said he would look in to it. Mr. Lekas thanked the Boards for their time and said he enjoys serving on the committee and wants to continue. Sel. Weisfeldt reported that the Board of Selectmen would meet on March 23, with the School Committee, to make the appointment.

Bell Atlantic Petition - North Road

Kathy Frazier, representative from Bell Atlantic, explained that she was before the Board regarding the placement of two apparatus cabinets, within a state taking, on North Road. Kathy said the state has given Bell Atlantic permission to do the work. An abutter, Matt Ross asked what it would look like. Kathy said that it is 10' x 10' easement area. Christopher Hall, asked if a concrete pad would be poured and if some landscaping could be done. Kathy said there would be no concrete pad and that they could do some landscaping. The abutters suggested moving the apparatus adjacent to the guardrail when you enter the street. Kathy reported that the State gave them a specific location but she would be happy to set up a meeting with the Bell Atlantic engineers and the abutters so these issues could be worked out.

Bell Atlantic Petition - Brick Kiln Road

Kathy Frazer from Bell Atlantic said that she was requesting a joint pole petition on Brick Kiln Road for 1 pole necessitated by a new home. Sel. Eliopoulos made a motion to approve the placement of one pole on Brick Kiln, Sel. Moran seconded, the vote was unanimous.

Bernie reported that the actual number of double poles is down to 180 poles, not 264 as previously reported. Kathy Frazier reported that there was a clerical error in the last report and that 60 poles had been removed since March 1.

Common Victualer Transfer of License - One Ten Restaurant

Francine Alary, 71 Forge Village Road, Groton, explained to the Board that she was leasing space at 257 Littleton Road and wanted to re-open the restaurant. Sel. Eliopoulos asked Ms. Alary what hours she would be open. Ms. Alary said that she would like to be open seven days a week from 6:00 a.m. - 10:00 p.m. Sel. Eliopoulos made a motion to approve the transfer of the Common Victualer License, contingent upon obtaining a Food Service Permit from the Board of Health from the hours of 6:00 a.m. to 10:00 p.m. Mr. Moran seconded, unanimous.

TOWN MANAGER REPORTS

The Town Manager reported on the following projects:

Library: The roof is on and the electric work has started.
Center School: Schedule is on track and they are working out some financial issues.
Police Station: The new station will be bid out in the Spring.

Bernie handed out a copy of a letter that was addressed to Senator Fargo and Representative Cleven and asked the Board to support the listing of priority projects for the Town. The projects included the Route 3 Expansion, Special Education, Education Aid, North Road Traffic Lights, Central Square Improvement Project, Chapter 90 Funding, Binding Arbitration and several other

issues. Sel. Eliopoulos made a motion to support the issuance of the letter to Rep. Cleven and Senator Fargo, Sel. Eliopoulos seconded, unanimous.

The Town Manager provided the Board with a copy of the Town Meeting Warrant and explained that the Board must vote on it tonight so that it can be posted. Bernie read through the articles and provided more detail when inquiries were made by the Board. Sel. Eliopoulos made a motion to approve the Spring Town Meeting Warrant, Sel. McCall seconded, unanimous.

CONTRACT AWARDS

The Town Manager reported that 15 bids were received for the Dalton Road Drainage Project and that Mass. Paving was the low bidder. Sel. Eliopoulos made a motion to approve the contract award of the Dalton Road Drainage Project to Mass. Paving for an amount not to exceed $99,650., Sel. McCall seconded, passed 3-0 (Mr. Moran abstained).

APPOINTMENTS

Mr. Lynch asked the Board to support John Duggan, Strawberry Hill Road, for a position on the Commission on Disabilities for a term expiring June 30, 2001. Sel. Eliopoulos made the motion to support the appoint of John Duggan, Sel. McCall seconded, unanimous.

Mr. Lynch told the Board that the Sewer Commission uses Atty. James Harrington for various matters related to the sewer project. He explained that the Board should formalize the process and designate that position as a Special Municipal Employee. Sel. Eliopoulos made a motion to appoint James Harrington as Special Town Counsel for the purpose of assisting in matters relating to the construction of the sewer project, and that the position be designated as a Special Municipal Employee. Mr. Moran seconded, the motion passed unanimously.

UNSCHEDULED BUSINESS

The Town Manager reported that a request for signage on Bradford/ Dayton Streets had been made by Steven Flynn of 13 Dayton Street. He reported that the Traffic and Safety Division evaluated the intersection and recommended that the yield sign be change to a stop sign. Sel. Eliopoulos made a motion to change the yield sign at the intersection of Bradford and Dayton to a stop sign. Sel. Moran seconded, unanimous.

Mr. Lynch reported that a request for a one-year auctioneer permit had been filed by James Banyas of 178 Main Street, Westford. Sel. Eliopoulos made a motion to grant an Auctioneer Permit to James Banyas from March 15, 1999 - December 31, 1999. Sel. Moran seconded, unanimous.

Maj. Sam Poulton of the U.S. Army Reserve introduced Maj. Adrian Georgescu and Col. Liviu doctors that are visiting the area from Romania. Major Poulton explained that the visiting dignitaries are here to visit local hospitals and attend a symposium on biological warfare. The

Major and the Colonel expressed their thanks to the Board and presented them with a small Romanian flag. Sel. Weisfeldt presented the guests with keys to the Town.

SELECTMEN REFERRALS

Sel. Moran said he had read in the paper about the controversy regarding Billerica using the Forum for a backup site for graduation. Tom asked Bernie to explain what was happening between Facility Management, the Town and Billerica. Bernie explained that he had been contacted in November by the Supt. of Schools in Billerica requesting the use of the Forum for graduation, if needed. Bernie checked with Facility Management Corp. and they had already booked the facility for summer camp programs. Bernie said it is unfortunate but we are living up to the agreement and perhaps down the road we can take a look and see if something can be done.

Sel. Moran suggested that Bernie look at the Drum Hill area with a "regional approach" to reduce congestion and research possible improvements. Bernie and the Selectmen all felt that this was a good idea. Tom made a motion that Bernie talk to his counterparts in Lowell and see who should serve on the committee. The motion passed unanimously. Bernie suggested that NMCOG be involved also.

Tom asked if Media One could come to a future meeting with an update. Bernie said he would schedule them for the April 5th meeting.

Tom asked Bernie for a status on the outcome of the Traffic Forum. Bernie said the committee is reviewing the data and will hold its first meeting in April.

Sel. Eliopoulos asked for an updated cost analysis of the new library. Sel. Eliopoulos asked the next step in finalizing the liquor rules and regulations. Bernie suggested that Tom and Phil form a sub-committee to review the draft and make recommendations for the Board's consideration.

Bernie announced that the next meeting of the Board would be on April 5.

Sel. Eliopoulos made a motion to go into executive session for the purpose of collective bargaining and real property. Sel. Moran-Aye, Sel. McCall-Aye, Sel. Eliopoulos-Aye and Sel. Weisfeldt-Aye.

Respectfully submitted

Marian Currier

BOARD OF SELECTMAN MEETING MINUTES

APRIL 5, 1999

1999 JUL -6 PM 12:09

A regular meeting of the Board of Selectmen was held on April 5, 1999 at Town Offices at 7:00 p.m. Board members present were Selectman Dalton, Selectman Weisfeldt, Selectman Eliopoulos, Selectman Moran and Selectman McCall. Also present were Town Manager Bernie Lynch, and John Coderre.

PUBLIC SERVICE ANNOUNCEMENT

Selectman Weisfeldt read an announcement proclaiming April 30, 1999 as Arbor Day. Sherrie Palo from the Chelmsford Garden Club accepted the proclamation. She thanked the board and encouraged everyone to get out and plant a tree if possible.

TOWN MANAGER BIDS AND CONTRACTS

Fred Mansfield reported that Moody's has reaffirmed the town's rating as AA, close to AAA. He went on to say that the town has great reserves and is doing very well.

Selectman Weisfeldt made a motion to approve the sale of the two million, two hundred eighty thousand ($2, 280, 000) Municipal Purpose Loan of 1999 Bonds of the Town dated April 15, 1999, to Corby North Bridge Securities Incorporated at the price of 100.6963% and accrued interest is hereby confirmed. The bonds payable on April 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2000	$360,000	4.00%	2005	$100,000	4.00%
2001	355,000	4.00	2006	100,000	4.00
2002	355,000	4.00	2007	100,000	4.00
2003	355,000	4.00	2008	100,000	4.00
2004	355,000	4.00	2009	100,000	4.00

Selectman Eliopoulos seconded. Motion passed unanimously.

Selectman Weisfeldt further moved that the consent dated March 31, 1999 to the financial advisor bidding for bonds is hereby confirmed. Selectman Eliopoulos seconded. Approved unanimously.

SCHEDULED BUSINESS

Presentation by Dr. Moser

Dr. Richard Moser, Superintendent of Schools reported on the cost of special education relative to the budget for the coming year. The Finance Committee suggested that he come and alert the Board to a problem. Dr. Moser began by noting two extraordinary costs this year, one being the overhead costs of the Center School and the other being the increased cost of special education.

The budget is increasing 17.7% for special education compared to the past year. There are three factors influencing this:

- Increase in tuition students
- Transportation-an increase of $350,000
- Section 504 of Rehabilitation Act of 1973-$100,00 in expenses

He went on to say that this increase is in line with other communities and in some cases it is less. Of all the Education Reform monies received 54% has gone towards special education. There is no particular solution to this problem except to be proactive in trying to keep costs down.

School Committee Joint Meeting

Selectman Dalton suggested setting up another time to meet with the School Committee regarding the special education and school funding issues. Given the constraints of the agenda that evening he felt there wouldn't time to address the issues fully. Judith Mallette of the School Committee voiced her preference for addressing the issue that evening as everyone was already there and that it wouldn't take more than 10 or 15 minutes. Selectman Dalton, with the approval of School Committee rescheduled the discussion to be held Monday, April 12 at 6:30 p.m.

Common Victualer License - Adams Corner - Vinal Square

Dipak Karia came before the board to request a common victualer license for the Adams Corner Store at Vinal Square. Selectman Weisfeldt made a motion to approve a Common Victualer License for Adam's Corner, contingent upon the applicant obtaining a Food Service Permit from the Board of Health. Selectman Eliopoulos seconded. License approved unanimously.

Used Car Dealer -- Bosco Automotive

Raymond T. Boschetto requested a Class II Auto Dealer's License for Bosco Automotive Services/Premier Auto Care Center. Selectman Moran inquired as to how many cars could be parked on the lot. Mr. Boschetto replied that there was an eight car maximum set for the property and that he was comfortable with that. Selectman Weisfeldt moved to approve the Class II Auto Dealers License to Bosco Automotive Services/Premier Auto Care Center, 295 Littleton Road, restricted to 8 cars for sale. Selectman Eliopoulos seconded, motion passed unanimously.

Media One

Bob Carr of Media One came before the board to follow-up on a report made in November '98 regarding complaints received about Media One's customer service program. Mr. Carr reported that in November only 60% of callers spoke with a human within 30 seconds of calling. The abandonment rate was 20%, that is 20% of callers hung up before talking with a human. Mr. Carr said that great improvements had been made since that time. Media One had hired more customer service representatives and improved the electronic call routing system. They still had a ways to go but the situation was greatly improved. To support this Mr. Carr sited the following statistics; 90% of all customers spoke with a human within 30 seconds of calling and that abandonment rate had fallen to 2.5%.

Street Acceptances -- Farley Brook Road, Rolling Green Lane, Stage Road, Ann's Way

Jim Pearson, Town Engineer came to report on four streets slated for acceptance:

- Farley Brook Road -- **"Recommended for acceptance"**
- Rolling Green Lane -- **"Recommended for acceptance"**
- Stage Road -- **"Not recommended for acceptance"**
  Issues with the cul-de-sac and the landscaped island. Lights and fire hydrants are also needed.
- Ann's Way -- **"Not recommended for acceptance"**
  Several problems including retention basin and shoulders.

Selectman Dalton invited members of the public to respond either for or against the approval of these streets. Peter Volonino of 9 Rolling Green Lane came forward to question the acceptance of Rolling Green Lane and Farley Brook Road, as a title search hadn't been completed. He also spoke of whether there were formal plans in place to notify emergency services once a street was approved. Mr. Pearson responded that the issue of the title search would be looked into.

Jim Bleck of 58 High St. spoke about an observed problem regarding Ann's Way. During a heavy rainstorm in January, water running from Ann's Way was flooding a corner of his backyard by an electrical distribution box. That was the only occasion it happened. He also questioned the boulders and whether they met town code. Mr. Pearson said that the street was properly curbed but he would look into the flooding situation. As for the boulders, the town ok'd them.

Selectman Weisfeldt made motion to table street acceptances to April 26th. Selectman Eliopoulos seconded. Motion approved unanimously.

Jean Ave. Zoning Article

Attorney Kevin Sullivan appeared before the board on behalf of Robert Joyce of Allied Paving to present information regarding a zoning article (Article 19) on the upcoming Town Meeting agenda. Article 19 is the rezoning of an area of Jean Ave. from a CB zone to an IA zone. The area is 1.9 acres at the end of a cul-de-sac. It was the property of Dr. Nick's Transmission where oil was improperly disposed. There was a 21E contamination on the site and it hasn't been in use since 1995. The 21E contamination problem has been taken care of. A report dated November 1998 concludes that there is no risk to human use as of the completion of the abatement work. To get the property back in use and back on the tax rolls his client proposes a change in zoning. The property abuts an existing IA zone, so the zone would only be an extension of the existing zone. The client, Robert Joyce of Allied Paving wants to use the property to store his paving trucks in a 16 bay garage. A CB zone once allowed the storage of contracting equipment but no longer does. An IA zoning would. His P&S is contingent upon the rezoning.

Mr. Sullivan then presented three cases to support the proposal for rezoning. He summed up his case by stating that the bottom line is what is in the best interest of the public. Getting this parcel back in use and back on the tax rolls would be. He then invited questions from the board. Selectman Dalton inquired as to whether the property would be exclusively used for storage and if he actually had sixteen trucks. Mr. Sullivan confirmed that it would be used exclusively for

storage and that he did not currently own 16 trucks. Selectman McCall then inquired as to what exactly a contractor's yard was. Mr. Sullivan didn't know exactly. A few moments later the definition of a contractor's yard was read from the zoning by laws and did fit the scenario Mr. Sullivan described for Mr. Joyce's property. Sel Weisfeldt inquired as to whether Mr. Joyce thought that his business would be growing and he replied that he thought not. This information was presented for the board's information and the issue would be taken up at the Town Meeting.

OPEN SESSION

South Row PTO Auction -- Kenneth Miles

Ken Miles of 34 Old Stage Road announced the upcoming South Row PTO Auction, to be held Friday, April 9th at the Elks Club at 7 p.m. Tickets can be purchased for $5.00 ahead of time or at the door. Barbara Berg would provide entertainment during the silent auction. All proceeds would go to benefit the South Row School Playground. Twenty thousand dollars of the 40,000 needed to fund the playground has been raised to date. Approximately 200 items were up for bid, including golf dates, Larry Bird memorabilia, game tickets (pro and local), hand crafted items (provided by parents and students), weekend trips and gift certificates.

Mary Frantz -- League of Women Voters

Ms. Frantz came before the board as a citizen and a member of the League of Women Voters to provide information around a piece of legislation regarding education funding. A study was done by the LOWV in 1994 looking at communities resources based on a measure of wealth, which was a valuation per pupil. This valuation means that for a dollar on the tax rate, Chelmsford's valuation per pupil produces $407.00 per pupil. Chelsea produces $146.00 per pupil. This allows for comparisons between like communities. Based on this formula Chelmsford would get more in state aid than it does now using the state's current formula. Chelmsford currently gets 17% in state aid for its foundation budget. Other similar communities get 30%. The current state formula figures in income, which is why Chelmsford gets less. The legislation filed by the league creates a different distribution formula. Some communities would get more than they currently do and others will get less. Using this formula Chelmsford could get twice what it's getting now. Ms. Frantz emphasized that this legislation has nothing to do with Proposition 2 1/2. There needs to be consensus on how a community's contribution is determined, a balance between the state and local. On June 1st, the Education Committee will be holding a hearing on finance in Lowell. Ms. Frantz then reemphasized that the important issue is treating communities of equal means equally. Selectman Eliopoulos invited Ms. Frantz on the basis of her wealth of knowledge to join them at the joint meeting with the school committee the following week. Town Manager Lynch reiterated that the piece of legislation has nothing to do with Proposition 2 1/2 and would certainly help Chelmsford.

Michelle Kantura-21 Galloway Rd. -- SpedPak

Michelle Kantara of 21 Galloway Rd. addressed the board as a representative of SpedPak (Special Education Parents Advisory Council) in regards to a letter sent to state legislators concerning special education funding. The letter recommended the adoption of federal standards for funding special education. Ms. Kantara wished to share information with the board that they may not have had concerning this issue and speak to the benefits of having a higher quality standard, in the hopes that the board would reconsider its stand and redraft its letter. She also

made the point that the legislation addressed in the letter was not slated for action until September at the earliest so it was not a time sensitive issue. Mr. Lynch confirmed that though the special ed funding was not time sensitive there were other items in the letter that were. While the board was not inclined to redraft the letter, Ms. Kantara was invited to attend the joint meeting with the school committee to address the issue.

TOWN MANAGER REPORTS

Center School

Mr. Lynch reported that the both the costs of the windowsills and furniture came in less than anticipated. Looking towards the possibility of a special Town Meeting for an additional appropriation of funds. On April 20th there is a tentatively scheduled meeting of the board, the School Committee and Finance Committee to tour the school at 4 p.m.

Library

The Town Manager reported that the library is moving forward with the exterior walls being installed. A cost analysis report has been placed in all mailboxes.

Brush Drop-off

Brush drop-off will be held from 9-3 on Saturday, April 10th.

Town Litter Clean-Up

The Town Litter Clean-Up will be on Saturday, May 1st from 9 - 12. A party will be held afterwards for those participating at the Elks Lodge. Those registering by April 16th will receive a free mug donated by Waste Management.

Traffic Action Plan

The Town Manager said that all should have received the Traffic Action Plan. He then commended John Coderre on a job well done in putting it together. Planning on moving forward on a number of ideas including; enforcement, education and awareness. Also plans for a web page, hot line. The engineering department has plans for a number of troubled sections. There was a traffic study done on the Byam/Locust Rd. section. This plan should serve as our plan as we move forward in the coming year.

Route 3

Last week at the State House Mr. Lynch provided testimony with other managers from the local area about the need for improvements to Route 3. He is hopeful that it is moving forward.

SELECTMEN REFFERALS

- Selectman Moran stated that he would like to see more enforcement of the signage by-laws. Mr. Lynch responded that the Building Inspector had been put on it but that help is needed in the form of more reporting by the public.
- Selectman Moran reminded the public that the next day was Election Day and that the polls would be open and everyone should exercise their right to vote.

- Selectmen Moran, Eliopoulos and McCall all reported on the wonderful time they had participating in the Community Read-in at the area elementary schools.
- Selectman Moran brought up the issue of the traffic situation around the Byam/Locust Ave. area. Mr. Lynch said that there was increased traffic violation enforcement in the area. He went on to say that not too much could be done as far as the car volume goes. Diversion would only create more traffic on other roads.
- Selectman Moran wanted a letter written to Secretary of Transportation regarding the placement of the speed limit signs on the 495 on ramp.
- Selectman Moran reported that RCN is taking out a cable contract.
- Selectman Moran requested an update on the Skateboard Park. Mr. Lynch said that the possible locations had been narrowed down. One possible location was behind the Town Hall adjacent to the Little League field. It wouldn't be available however, until after the completion of the library. In all likelihood, it won't be operational until next spring.
- Sel. Moran inquired about sidewalks on Chelmsford St. Mr. Lynch responded that they would be taken care of early spring. At this point the hot top plants aren't open and there are a number of projects to take care of first, including street sweeping.
- As the liaison for the Disabilities Committee, Sel. Moran asked about the possibility of the committee getting a little office space. Mr. Lynch said that the building was full up at the moment and that he had spoken with someone from the committee. The committee was mostly concerned at this time with obtaining some space to put up notices where the public could see them.
- Returning to the traffic issue, Sel. Moran wondered whether there had been in roads made for a regional solution to the Drum Hill traffic problem. Mr. Lynch had met with Brian Martin of Lowell to discuss the problem and agreed to meet again. Meetings are scheduled with the Planning Board and with Bob Flynn.
- Sel. McCall brought up the issue of train crossings in light of the recent Amtrak accident, noting that he has observed people going around gates.
- Sel. McCall mentioned that he has received calls concerning school sports funding. Mr. Lynch responded that the budget has been balanced to the penny and the funds are not there to expand programs.
- Sel. McCall encouraged everyone to go out and vote.
- Sel. Dalton asked about progress on Meadowbrook Road and the splintering railroad tracks. Mr. Lynch responded that he has been trying to set up a meeting with the railroad.
- Sel. Dalton asked about a dog problem on Ansie Rd.. Mr. Lynch said that the building inspector was looking into in and that it was probably a zoning issue.
- Sel. Dalton mentioned the poor condition of the Town Highway Barn. Mr. Lynch responded that it was on the list of things to do but there were other things that took

precedence at the moment. He admitted that it needed a lot of work but they had limited resources and there were things that were of a higher priority.

- Sel. Dalton was commended by all for a job well done on the occasion of his last meeting as Board Chairman.

APPROVAL OF MINUTES

Selectman Weisfeldt made a motion, seconded by Selectman Eliopoulos, to accept the minutes of the following Board of Selectman meetings:

12/14/98	Regular Min.
12/14/98	Executive Session
1/11/99	Regular Min.
2/16/98	Regular Min.
2/16/98	Executive Session
3/1/99	Regular Min.
3/1/99	Work Session

Motion passed unanimously.

Selectman Weisfeldt made a motion, seconded by Selectman Eliopoulos, to accept the minutes for the Board of Selectman meeting held March 15, 1999. Motion passed with four Ayes and one abstention (Dalton).

There being no further business the meeting adjourned.

Respectfully submitted

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

MAY 10, 1999

1999 JUL -6 PM12:09

A regular meeting of the Board of Selectmen was held on May 10, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Weisfeldt, Selectman Dalton, Selectman Eliopoulos, Selectman Moran and Selectman McCall. Also present were Town Manager Bernard Lynch, and Assistant to Town Manager John Coderre.

APPROVAL OF MINUTES

April 12, 1999, Executive Session

Selectman Eliopoulos made a motion to approve the minutes from the April 12th Executive Session. Selectman McCall seconded and motion passed unanimously.

PUBLIC SERVICE ANNOUNCEMENT

Charity Concert -- McCarthy Middle School

Tom Christiano, Director of Community Productions announced that a concert to benefit 7 area non-profit organizations would be held on Sunday, May 23 at 7:30 p.m. at the McCarthy Middle School. Some of the entertainment would include award-winning Irish step dancers and professional singers as well as local talent, Nancy Bennetti. Tickets are $10 and available in the Town Clerks office.

TOWN MANAGER REPORTS

Curbing

The Town Manager reported that plans were in the works with the DPW to curb Chelmsford St. from Fresh Chow Restaurant to Bill and Andy's next month. This would improve the area in terms of both safety and aesthetics.

Lottery Money

The Town Manager said that there was an article in the paper regarding reports of $17 million dollars worth of new lottery money, of which Chelmsford's portion would be approximately $217,000. The town has been working with the MMA to free this money. There is a possibility that these funds would be coming to the towns. Any such windfall should go towards a one time expenditure and not into the operating budget. If the money does materialize a plan would be developed as for how it should be used.

Davis Rd. and Old Westford Rd. Intersection

Mr. Lynch reported that he had received a report concerning the number of accidents occurring at the intersection of Davis and Old Westford Rd. There have been 5 accidents at this site. Three of which were due to weather and two attributed to operator errors. A possible improvement to the situation included making one of the cross streets one-way. A definite improvement would be to install a flashing light, add signage and increase traffic enforcement. All of these options are under review.

Dog Training Business

Mr. Lynch said that the Building Inspector was looking into the existence of a dog training business on Ansie Rd. The resident owns two licensed dogs at this time. There is still a question as to whether a business is actually being conducted on the site. Mr. Lynch would keep them posted as more information came to light.

North Chelmsford Auto Parts Fence

The fence at North Chelmsford Auto Parts is nearly complete. The remaining 120-150 ft. length of fence will be completed pending the resolution of a lot line dispute.

UNSCHEDULED BUSINESS

Yard Waste Policy

Mr. Lynch presented the yard waste policy for the board's consideration. He reminded all that in order for the Town to receive $39,000 in grants from the Municipal Recycling Incentive Program (MRIP) there must be a formal yard waste police in place.

The Yard Waste Policy reads as follows:

> In order to comply with the Massachusetts' ban on the disposal of yard waste (grass, leaves, brush, branches, etc.), all residents serviced by the Town's solid waste collection program are not allowed to dispose of their yard waste along with their regular household solid waste. If yard waste is placed with regular household waste for collection, the Town's solid waste collection contractor will be instructed not to pick up the yard waste, or any household solid waste that is commingled with the yard waste

Selectman Eliopoulos made a motion to adopt the policy, Selectman McCall seconded. Policy accepted unanimously.

Buried Cables

Selectman Eliopoulos made a motion to accept a petition for buried cable and pedestal locations on the formerly private ways:

Ref.#	Road
956	Hillside Lane
957	Wells Fargo Road
958	Rosemary Lane
959	Hollow Ridge Road
960	Trailside Drive
961	Strobel Lane

Selectman McCall seconded and motion passed unanimously.

Joint or Identical Pole Location

Selectman Eliopoulos made a motion to accept a petition for joint or identical pole location on the formerly private way listed below:

Ref#	Road
955	Hillside Lane

Selectman McCall seconded and the motion passed unanimously.

Groton Road Traffic Signs

The proposed sign would prohibit right hand turns from 7-9 am Monday - Friday. The impact the bus route would be worked out with the schools over the summer. The proposed change takes effect July 1st.

Selectman Eliopoulos made a motion to approve a traffic sign on Groton Rd. prohibiting right hand turns from 7-9 a.m. Monday - Friday effective July 1, 1999. Selectman McCall seconded and motion passed unanimously.

Change of Land Owner Gas Storage License - 310 Tracey Road

Selectman Eliopoulos made a motion to approve a change of trust from Raymond A. and Barbara F. Carye of 16 Progress Ave. Trust to Raymond A. and Barbara F. Carye Trust of 310 Tracey Road Trust for the purpose of storing a 300-gallon tank of waste oil. Sel. McCall seconded, motion passed unanimously.

SCHEDULED BUSINESS

Public Hearing - Transfer of Beer & Wine Store License - Cedar House

Attorney Joseph Shanahan appeared before the board on behalf of M.W.N., Inc. to request a transfer of license for the Cedar House at 124-126 Tyngsboro Road. Mr. Shanahan asked the board to recall that they had voted affirmatively to approve such a transfer a few months ago. However, the license had not been approved of by the Alcoholic Beverages Control Commission. They were once again pursuing a license under a new corporate name M.W.N., Inc. This name was in fact the only thing to have been changed on the new application.

Selectman Eliopoulos made a motion to approve application of transfer of Beer and Wine Store license from Mr. and Mrs. Kirk at 124-126 Tyngsboro Road to MWN Inc. and approve the change of manager to Mr. William S. Nget. Selectman McCall seconded, motion approved unanimously.

Public Hearing - Application for All Alcoholic License - Cedar House

Attorney Joseph Shanahan appeared before the board on behalf of M.W.N, Inc. to request the approval of an All-Alcoholic License for the Cedar House. At this time, there is one remaining All-Alcohol license in town. There is no other full liquor package store in that part of town. Under the local rules of the town these liquor licenses should be distributed throughout the town, therefore this area would be a good candidate.

Jeff Stallard, 103 Tyngsboro Rd., Precinct 2 Town Representative came forward on behalf of many neighborhood residents to speak against the approval of an all-alcoholic license.

John Harrington, Package Store Owner, agreed with Mr. Shanahan's presentation and emphasized the fact that there has always been a full-liquor licensed store in that area and that there is a need for it and that the area can support it. He spoke in support of approval. He suggested limiting the number of hours to keep both neighborhood residents and the owners happy.

Harold Kecy, 255 North Rd., former package store owner, supported approval of a full-liquor license in the area.

Motion to close public hearing. Motion seconded, approved unanimously.

Selectman Moran had concerns about the current floor plan as to the delineation between the alcoholic beverages and the convenience store items. Mr. Shanahan responded that there were plans to clearly separate the alcohol and the convenience store items. Selectman Moran questioned the hours of operation. He replied that the hours of operation would comply with the local bylaws. Selectman Moran requested that the owner come back in two weeks with a new floor plan that could be implemented within a certain time frame and have the definitive hours of operation. Mr. Shanahan agreed to do so.

Selectman Eliopoulos made a motion to continue the application for a full-liquor license for two weeks. Selectman McCall seconded, motion approved unanimously.

Togo's - Increase in Premises of Common Victualer License

Attorney Joseph Shanahan, representing Allied Demacq Retailing USA, corporate owner of Togo's at 80 Drumhill Rd. appeared before the board to request an increase in premises. The increase consists of a 453 sq. foot addition. Selectman Eliopoulos made a motion to increase the premise of the Common Victualer License of Togo's at 80 Drumhill Rd. Sel. McCall seconded, motion passed unanimously.

Joint Meeting with Library Trustees to Appoint Trustee

Margaret Mitchell came before the board to nominate Kathryn Fisher to the Library Board of Trustees for the term through April 2000. On roll call vote, Kathryn Fisher was nominated to Library Board of Trustees unanimously. The vote is as follows: Weisfeldt--Aye, Dalton--Aye, Eliopoulos--Aye, McCall--Aye, Moran--Aye.

Ken Dews - Chelmsford Land Conservation Trust

Ken Dews spoke on behalf of the Chelmsford Land Conservation Trust. The Trust is supported by membership dues and is managed by 11 volunteer trustees. It is currently made up of 80 acres of land contained on 9 different properties from wooded areas to pasture land. Mr. Dews made note that a mailing had gone out recently to the entire town informing residents of the Conservation Trust and soliciting new memberships. The successful drive doubled the existing membership, bringing the total up to 230 but more importantly greatly increased awareness of the trust. Mr. Dews described recent events including a birdwatch and a winter walk. Other trust activities include; Eagle Scout projects, habitat restoration, bird boxes, pasture restoration,

school programs and Brownie troop activities. The annual meeting is set to be held May 19th at the Bartlett Byam School at 8 p.m.

SELECTMEN REFFERALS

- Selectman Moran reminded the board that perambulation of the Chelmsford/Westford borders needs to be done. A date needed to be set so that Jim Pearson could go out and mark the borders. Dates also need to be set to conduct perambulation along the Billerica, Tyngsboro and Carlisle borders as well.

- Sel. Moran reported that he had met with the Cable Access people. They expressed concerns about how negotiations with RCN would impact them. Mr. Lynch replied that any terms set with Media One would apply to any new contract.

- Sel. Moran brought up the recent MBTA assessment and how it would impact Chelmsford. While there wasn't anything and wouldn't be anything on the tax bill in the near future there would be eventually.

  Sel. Moran made a motion to send a letter to Susan Fargo and Carol Cleven expressing concern over this legislation and asking them not to support it. Selectman McCall seconded, motion passed unanimously.

- Selectman Moran mentioned the meeting on Liquor Regulations

- Selectman Moran voiced surprise that the people of Middlesex County aren't outraged that the Patriots Stadium bill is being fast-tracked while the Route 3 expansion is being dragged on through committee.

- Selectman McCall announced that nominations are being considered for the Housing Authority as Bill Keohane has tendered his resignation.

- Selectman McCall recommended more signage at a Drum Hill intersection to address the problem of commuters running the light at the intersection and blocking traffic all the way back to the rotary.

- Selectman Eliopoulos brought up the letter from Susan Fargo regarding Chapter 90. Mr. Lynch responded that the legislature had rebuffed a proposal to reduce it and that they were watching it closely.

- Selectman Eliopoulos suggested that the board send a joint letter with the other surrounding area boards pushing the Route 3 expansion. Mr. Lynch responded that the boards and Town Managers had previously expressed their concern for this issue.

- Selectman Eliopoulos requested an update on the skateboard park. Mr. Lynch confirmed that it is planned that the park would be located behind the Town Offices. The proposal would be put forward at the Fall Town Meeting. He went on to say that they were looking into some private donations.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, May 24, 1999.

There being no further business the meeting adjourned.

Respectfully submitted

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

MAY 24, 1999

A regular meeting of the Board of Selectmen was held on May 24, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Weisfeldt, Selectman Dalton, Selectman Eliopoulos, Selectman Moran and Selectman McCall. Also present were Town Manager Bernie Lynch, and Assistant Town Manager John Coderre.

APPROVAL OF MINUTES

April 5, 1999,

Selectman Eliopoulos made a motion to approve the minutes from the April 5th Board of Selectmen meeting. Selectman McCall seconded and motion passed unanimously.

PROCLAMATION

Emergency Medical Services Week -- May 16 - 22, 1999

Selectman Eliopoulos read a proclamation declaring the week of May 16 - 22 Emergency Medical Services Week. Sandy Donovan, Chelmsford Community Exchange, accepted the proclamation.

OPEN SESSION

Jeff Stallard of 103 Tyngsboro Rd. announced on behalf of Legion 313 plans for Memorial Day. The parade will take place at 10 am. The annual Memorial Day service will be held at 9 am.

Mr. Stallard then spoke on behalf of the Town Celebrations Committee to announce plans for the Fourth of July. He reminded everyone that while the 4th was on Sunday, the parade would be held on Monday at 10 am. Anyone interested in having a float should contact the Elks Club ahead of time.

Mr. Stallard then brought up the issue of the "Peddler Exclusion Zone" excluding for-profit peddlers from selling their wares over the weekend of July 4th. Selectman Eliopoulos made a motion excluding for-profit peddlers from selling items on the 4th and 5th of July in accordance with the town by-laws in the area from Rt. 495 to Rt. 110 and from Westford Rd. to Rt. 110 and Worthen. Mr. McCall seconded and motion passed unanimously.

Mr. Stallard concluded with a request to have the building inspector examine a property on Tyngsboro Rd. adjacent to the Junkyard for possible condemnation. Bernard Lynch responded that he would have Jim Pearson check it out.

Dale Phillips of 429 Wellman Ave. appeared before the board to address the approval of an all-liquor license for the Cedar House. Mr. Phillips disapproves of a liquor store located in a residential neighborhood in close proximity to a school. He also pointed out that the store had

had problems in the past. Selectman Moran mentioned that the store had a history of possessing a liquor license that predates the existing school. Selectman Dalton asked Mr. Lynch whether there were any problems in the recent past with the store. Mr. Lynch responded that he had contacted the police department with just such a question and found that the store had had no violations in regards to the sale of alcohol. Mr. Phillips was reminded that the actual public hearing on the Cedar House all-alcohol license had taken place the week before rendering his objections welcome but mute.

TOWN MANAGER REPORTS

Budget

Mr. Lynch provided an update on the status of the FY 99 budget. As of April the town had spent just under 79% of the budget. The budget was on target for revenue and expenditures.

Double Poles

Mr. Lynch reported that there were now only 141 double poles remaining. This was down substantially and Bell Atlantic would be finishing up over the course of the next 2 - 3 weeks.

Library

Progress on the library is moving right along. The masonry is nearly complete. Sheet rock installation on the first level is almost finished. Completion looks to be on track and the opening is scheduled for some time in October.

Center School

The Center School is coming in below budget and is on track for time. Selectman Moran requested another tour of the project as some of the selectmen were out of town for the first tour. Mr. Lynch said that he would set up another tour for the selectmen.

TOWN MANAGER APPOINTMENTS

School Committee Liaison Assignments

Mr. Lynch announced the School Committee liaison assignments as submitted to him by Tony Volpe, School Committee chairman. They are as follows:

Center School Building Committee	Judy Mallett, Tony Volpe
Capital Planning Committee	Evelyn Thoren
Coalition Against Crime	Mary-Jo Griffin
Traffic and Safety	Evelyn Thoren
Economic Development Partnership	Judy Mallett

Selectman Eliopoulos made a motion to appoint Mary Frantz as liaison to the Center School Building Committee. Selectman McCall seconded and motion passed unanimously.

School Violence Working Group

Mr. Lynch announced the representatives that would be participating in the Teen Violence Task Force-Forum on June 16, 1999 at 7:30 p.m. at the Parker School. This meeting is to be a round

table discussion to generate and discuss ideas around the issue of teen violence. Public input is welcome. Selectman Weisfeldt appointed Selectmen Dalton and Moran to serve as Board of Selectman representatives to the task force.

SCHEDULED BUSINESS

Cedar House Liquor License Continuation

Attorney John Shanahan appeared before the board to request an all-liquor license for the Cedar House as continued from the meeting of May 10th. He presented the board with the hours and a new floor plan as the board had requested. Both hours and floor plan are in compliance with license regulations.

Selectman Eliopoulos made a motion to approve an all-alcoholic beverage license for the Cedar House at 124-126 Tyngsboro Road with hours of operation to be determined 8 am - 10 am Monday - Saturday and 12 p.m. - 8 p.m. on Sunday. The exemptions being Christmas, Memorial Day, Thanksgiving and Labor Day. Sel. McCall seconded, license granted unanimously.

UNSCHEDULED BUSINESS

Application for Keno License

Mr. Lynch reviewed the current policy for granting Keno licenses. Convenience stores are no longer eligible for Keno licenses however, the Village Sq. location is grandfathered under the old policy. There are a set number of licenses mandated by the Massachusetts State Lottery Commission and all are currently issued. Once a license becomes available the applicant waiting the longest gets it.

Selectman Eliopoulos made a motion to approve Keno licenses for the Village Sq. Convenient Store and Country Club Restaurant. Selectman McCall second motion approved unanimously.

Board of Registrars Appointments

Mr. Lynch said that as Richard Burtt's appointment to the Board of Registrars expires in June 1999 it was time fill the position. The Board of Registrars submitted the following as possible appointees:

Richard F. Burtt
Muriel L. G. McGrann
Dr. Stuart G. Weisfeldt

As an elected official Dr. Weisfeldt would be unable to serve. The Board of Registrars endorsed the reappointment of Richard Burtt.

Selectman Eliopoulos motioned to appoint Richard F. Burtt to serve on the Board of Registrars for a three-year term. Motion seconded by Sel. McCall, approved unanimously.

Discussion of Liquor Regulations

Mr. Lynch reported that he would be setting up a meeting for the following week to compile the liquor regulations so that they could be presented to the board. He went on to say that not many

communities have as comprehensive liquor regulation package that is user-friendly for both businesses and the public.

SELECTMEN REFFERALS

- Selectman Dalton drew the attention of Mr. Lynch to the Y2K issue. Mr. Lynch responded that the town was on track for coming into Y2K compliance. Department heads are handling their concerns. All software was being brought up to date. Mr. Dalton responded that while he trusted that the town was addressing the issue he had concerns surrounding compliance being met by vendors that service the town, for example Mass Electric. Mr. Lynch said that each vendor was supplying the town with certification that it is in compliance. Also, in the event that something does occur, emergency response plans are in place to handle it.

- Selectman Eliopoulos told Mr. Lynch that he had heard that there was to be an MMA traffic workshop in June. He thought that someone should attend it. Mr. Lynch said that someone from the DPW would be attending.

- Selectman Eliopoulos announced that the annual After-Prom Breakfast is being held on June 9th at the Elks. Linda Chumley was requesting donations to contribute to this popular event.

- Selectman Dalton commended Tom Christiano for all his hard work in putting together the Charity Concert. He went on to say that everyone involved did a super job and that Chelmsford should be proud of its local talent.

- Selectman McCall said that the new remote cable van had been at the Walking Relay to benefit the cancer society. In addition to proving remote cable coverage the van will also be used by the police department as a remote command center.

- Selectman Moran mentioned that he had been traveling through North Chelmsford at a time when the traffic lights were set to blink and found that traffic flowed beautifully. He made a recommendation that in non-peak commute times that the lights are in blinking mode. Mr. Lynch responded that it was worth looking into and that he would contact the police department about it.

- Selectman Moran inquired whether there wasn't some feasible alternative to the North Rd. traffic problem short of installing lights. He wondered whether signage would be a short-term solution until the funding could be put in place for lights. Mr. Lynch responded that they had been pushing for lights in that area and he would keep them posted on where they stood.

- Selectman Moran asked where they were in setting up a time for border perambulation with Westford. Mr. Lynch responded that they were have problems coordinating schedules and that it might be better to hold off until the fall when things wouldn't be quite so overgrown.

- Sel. Moran announced the first annual gold tournament to be held June 8 at the Southwell Course. Both golfers and sponsors for holes are still needed. Tournament fee is $100.

- Selectman Weisfeldt announced that contracts to the sewer commission were awarded to Albanese and MBR. The sewer project is moving forward.
- Selectman Weisfeldt announced the Board of Selectman committee liaison appointments.

School Committee	Phil Eliopolous
Sewer Commission	Stu Weisfeldt
LRTA	Jim Good
Planning Board	Bill Dalton
Finance Committee	Tom Moran
Middlesex County Selectmen	Phil Eliopoulos
Cable Foundation	Tom Moran
Library	Mike McCall
NMCOG	Mike McCall
Board of Health	Stuart Weisfeldt
Cemetery Commission	Bill Dalton
Traffic and Safety	Phil Eliopoulos
Commission on Disability	Mike McCall

- Selectman Weisfeldt promoted the Post-Prom Breakfast as a positive and enjoyable activity that has grown in popularity since its beginning in 1981. He repeated Sel. Eliopoulos' call for donations.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, June 7, 1999.

EXECUTIVE SESSION

There being no further business the regular meeting adjourned at 8:30 and the town manager called for an executive session.

Respectfully submitted

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

June 17, 1999

A special meeting of the Board of Selectmen was held on June 17, 1999 at the Town Offices. Board members present were Selectmen William Dalton, Philip Eliopoulos, Thomas Moran and Stuart Weisfeldt. Also present were Town Manager Bernard Lynch, Treasurer Fred Mansfield, and Assistant to Town Manager John Coderre.

BOND SALE

Sel. Eliopoulos made a motion to approve the sale of the $7,800,000.00 at 3.50 percent Bond Anticipation Note of the Town dated June 25, 1999, and payable February 10, 2000, to CIBC Oppenheimer at par and accrued interest plus a premium of $11,550. The motion passed unanimously.

Sel. Eliopoulos made a further motion that the consent date March 31, 1999 to the financial advisor bidding for bonds is hereby confirmed. The motion passed unanimously.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Janet E. Murphy

BOARD OF SELECTMEN MEETING MINUTES

JUNE 7, 1999

A regular meeting of the Board of Selectmen was held on June 7, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Weisfeldt, Selectman Dalton, Selectman Eliopoulos, Selectman Moran and Selectman McCall. Also present were Town Manager Bernie Lynch, and Assistant to Town Manager John Coderre.

APPROVAL OF MINUTES

May 24, 1999

Selectman Eliopoulos made a motion to approve the minutes from the May 24th Board of Selectmen meeting. Selectman McCall seconded and motion passed unanimously.

PUBLIC SERVICE ANNOUNCEMENT

Water Ban -- John Harrington, Water District

John Harrington, Water District Commissioner reminded the community that at this time there is a complete water ban in effect for Chelmsford and East Chelmsford. Over the past weekend certain area of town ran out of water. North Chelmsford and Lowell helped out to supply water. The water tanks have been unable to replenish their supply in the face of a lack of rain and an increase in water use. He requested that people check out their sprinkler systems to make sure that they were working properly and that they were set on timers. The ban would be in effect until there was an adequate amount of rainfall to recover the tanks. Mr. Harrington was invited to come back and report on the water situation in two weeks.

TOWN MANAGER REPORTS

Weather

The Town Manager reported that due to the extremely hot weather Mass Electric has opened its emergency operating center. Electricity is in short supply because of the increase in use. Citizens with concerns can contact Mass Electric at 1-800-465-1212.

Freeman Lake

The Conservation Commission has approved a 6-inch drawback to conduct some work. Andy Sheehan has filed paperwork to commission bids for valve work. Repairs to a leak on the spillway are scheduled for next Tuesday or Wednesday.

Golf Course

Town Manager Lynch reported that improvements are being made to holes 7 and 8. The fairways are being regraded and Hydroseed planted. These holes should be playable by sometime in July. Usage has been up this year. He further reported that in light of concerns about water that the course has its own wells.

State Budget

Town Manager Lynch reported that the Senate has submitted a FY2000 budget which provides for an increase in per pupil aid to $150 per student. This amounts to a total increase of $138,000 for the Town of Chelmsford. Senator Fargo has included an amendment earmarking funding for traffic lights.

Central Square

Public improvement projects are moving forward in Central Square. Selectman Eliopoulos questioned the status of the Fleet Bank at that location. Mr. Lynch thought that it would be sold but understood that it could only be sold to another bank.

Meetings

Town Manager Lynch reported on several upcoming meetings including one on Y2K preparedness and on vendor compliance.

TOWN MANAGER APPOINTMENTS

The Town Manager appointed the following to the Cable Advisory Committee:

— James Hickey, 104 Kristin Drive Ext.	Accountant at Kirwin & Hickey, CPAs
— Paul E. Sarrategui, 41 Warren Ave.	Manager at GTE Internet
— Peter Henri Yelle, 130 Park Rd.	Technical Manager at major wireless service provider

Selectman Eliopoulos made a motion to approve the appointees named above to the Cable Advisory Committee for a term expiring on June 30, 1999. Selectman McCall seconded, motion passed unanimously.

TOWN MANAGER CONTRACT AWARDS

Hazardous Waste Audit, Toxic Use Reduction Plan, Materials Training Program - Weston & Sampson Engineers

Town Manager Lynch prefaced the award of the contract with a brief overview of the need for such a program. The use of toxic materials and their disposal is becoming a bigger and bigger issue and expense. There is a need to explore ways of reducing the use of such materials. Barbara Scavezze and Chief Parow have put a great deal of research into the companies that put in bids.

Selectman Eliopoulos made a motion to award the contract to Weston and Sampson Engineers for the amount of $34,695.00. Selectman McCall seconded, motion approved unanimously.

Dalton Road Drainage, Phase 2 - Mass Paving, Inc.

The contract for constructing a new drainage system on Dalton Road from Steadman Street to Chelmsford Street is awarded to Mass Paving, Inc. for a contract amount of $158,235.00.

Selectman Eliopoulos made a motion to award the contract to Mass Paving, Inc., Chelmsford, MA for the amount of $158,235.00. Selectman McCall seconded, motion passed with Selectman Moran abstaining.

SCHEDULED BUSINESS

Application for Beer & Wine Package Store License -- Village Square Convenience Store

Attorney John Mahoney appeared before the board on behalf of Kalpana Chatterjee of Pari-Binoy, Inc. to request a Beer & Wine Package Store License for the Village Square Convenience Store at 14 Fletcher St.. Mr. Mahoney supported his request for such a license by pointing out the ample parking and off-street location. Mrs. Chatterjee is enrolled in the state alcohol sales education program and has been managing her husband's doctor's office for a number of years.

Selectman Eliopoulos inquired as to whether Mrs. Chatterjee intended to be in the store for more than 15 hours a week. Mrs. Chatterjee was not present at the hearing to respond. Selectman Moran asked the Town Manager to review the location of the current package stores in town and study the distribution across town.

Selectman Eliopoulos made a motion to continue the public hearing until June 21, 1999 pending examination of the license distribution and the appearance of Mrs. Chatterjee. Selectman McCall seconded, motion passed unanimously.

Joint Meeting with Chelmsford Housing Authority

The Chelmsford Housing Authority was present to replace the position vacated by William Keohane. Candidates Dan Sadkowski, Leonard Westgate, Diane Cloutier and Allyson Stowell made presentations before the board expressing their interest in the position. Candidates nominated were Dan Sadkowski, Leonard Westgate and Alyson Stowell. Nominations were seconded. None of the three candidates received the majority of five votes needed to win. The roll call vote was retaken.

Bill Dalton nominated Leonard Westgate. Nomination seconded. Selectman Eliopoulos nominated Alyson Stowell. Nomination seconded. The following members of the Board of Selectmen voted in favor of Leonard Westgate: Dalton, McCall and Moran. Sel. Eliopolous and Sel. Weisfeldt voted in favor of Alyson Stowell. The following members of the Chelmsford Housing Authority present voted for Leonard Westgate: Lynn Marcella, Pam Turnbull and Denise Marcaurelle. Leonard Westgate was elected with a majority vote of 7-1.

UNSCHEDULED BUSINESS

Metrocom Row Agreement

Chris Sinclair of Metrocom, Inc. presented the board with an overview of Ricochet technology. Metrocom is hoping to secure a contract with the town to install a network of radio transceivers, on top of the existing utility poles. These relay transceivers would provide wireless Internet access. They would be part of an extended network covering the eastern part of the state. The transceivers would be mounted to approximately 3% of the utility poles in Town. In answer to Sel. Moran's question concerning the benefit to the Town, Mr. Sinclair responded that the technology provided a selling point for attracting new businesses as well as a technology that would be of interest to residents. The proposal will be addressed further at a public hearing in the fall.

SELECTMEN REFFERALS

- Selectman Dalton inquired as to the progress on Church St. Town Manager Lynch responded that while he hadn't been by recently he knew that the work to the catch basins had begun.
- Selectman Dalton went on to ask about the double pole removal on Davis Rd. The Town Manager said that it hadn't been done yet but should be soon.
- Selectman Eliopoulos thought that a letter should be drafted from the board asking Senator Fargo to support the Senior Pharmaceutical Program. Town Manager Lynch agreed and suggested that Selectman Eliopoulos compose the letter.
- Selectman Eliopoulos requested a list of streets that were up for paving so that he could respond to resident's inquiries. The Town Manager said that he would have the DPW and the Sewer Commission come up with one.
- Selectman Eliopoulos then expressed an interest in scheduling more work sessions to address the liquor regulations, goals and the Town Center among other issues. The Town Manager responded that more could be scheduled depending on interest and schedules.
- Selectman Dalton commented on the proposed closure of the Registry of Motor Vehicle office in Lowell. The only business conducted at the location would be license renewal. He suggested sending a letter opposing the closure. The Lowell delegation currently has an amendment requesting funding to keep the branch open.
- Selectman McCall brought up concerns from residents about the Bike Path and Central Square. Town Manager Lynch said that Bike Path was going to the Conservation Commission and would go to bid sometime in the fall. It could begin sometime in the year 2000.
- Selectman McCall said that while the morning commute at Newfield and Sherman had improved the return trip was still bad. Town Manager Lynch responded that he would have the police look into it.
- Selectman McCall asked that consideration be given to a stop sign on Wright Street. Town Manager Lynch said that the police would look into that as well.
- Selectman McCall inquired into how often the streets were swept. Town Manager Lynch said that the streets were swept in the spring. The exception to this being the Center, which is done as needed.
- Selectman McCall said that he had heard something about a Senior Income Tax Cap. Town Manager Lynch responded that there were a number of programs that seniors could belong too and most were underused. He went on to say that there were a number of proposals floating around the legislature on this subject. They would bear watching.
- Selectman Moran wondered how the sidewalk was coming in front of Fresh Chow restaurant. The Town Manager said that the curbing was on order and the project should be completed by mid-June.

- Selectman Moran then asked about line painting in North Chelmsford. The state has been contacted and they should follow up on this. Ultimately, the Town Manager concluded, we would like to see the line moved over.
- Selectman McCall commented on an area near the Parker School where he has spotted children crossing the street. He wondered whether a crosswalk shouldn't be put in at the location. Town Manager Lynch responded that it didn't sound like a good location for a crosswalk and instead thought that children should be discouraged from crossing there. He would have the police look into it.
- Selectman Moran strongly stated that the situation at the Davis and Westford Rd. intersection should be addressed. He feels that it is a fatality waiting to happen and should be a first priority. Selectman Dalton wondered why the Traffic and Safety Committee wasn't involved in the many traffic problems there seemed to be. Town Manager Lynch said that the committee was being restructured and in the meantime they were utilizing the expertise of the Police Dept and DPW, among others.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, June 21, 1999.

EXECUTIVE SESSION

There being no further business the regular meeting adjourned at 9:05.

Respectfully submitted

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

JUNE 21, 1999

RECEIVED
1999 AUG 17 PM 12:09

A regular meeting of the Board of Selectmen was held on June 21, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Stuart Weisfeldt, Selectman Phil Eliopoulos, Selectman Tom Moran and Selectman Mike McCall. Also present were Town Manager Bernard Lynch, and Assistant to the Town Manager John Coderre.

OPEN SESSION

Arts and Technology Education Fund/Grant Awards

Evelyn Thoren of the School Committee spoke before the board on behalf of the Arts and Technology Education Fund. She explained the grant program had been implemented in 1996 to provide supplemental funding for education. So far, the fund has generated $30,000 in donations. This year they would be able to award grants of up to $750 per award. The grants are funded by corporate donations and from individuals through an insert in the real estate tax bills and a tear-off on the excise tax bills. She then introduced Ed Morassi, Chairman of the Chelmsford ATEF Committee.

Mr. Morassi thanked Fred Mansfield and the treasurer's office for their help. He said that fund has dispersed $9,000 to date, with the goal of maintaining a lasting fund from a long-term grant trust. He then presented grant awards to the following:

Leda Drouin, Byam School - *Authentic Book Closet* - $500

Carolyn DiNatale, South Row School - *Magnetism* - $750

Martha Coolidge, Harrington School - *Cameras In and Out of the Classroom* - $750

David Grudinski, Parker Middle School - *The Art of Animation* - $500

Anne O'Bryant, Chelmsford High School - *School News Shows* - $525

Eric Hoover, Chelmsford High School - *Digital Camera for CHS Art Department* - $750

Doug Greenfield, Chelmsford High School - *Tech Prep Articulation (AutoCAD 14)* - $750

Celebrations Committee - Annual 4th Celebration

Walter Hedlund of the Celebrations Committee announced that the parade is scheduled for Monday the 5th at 10 am. The flag raising ceremony begins at 8:30 am on the Center Common. The parade is being held on Monday as not to interfere with the services held in the many churches along the parade route.

Water Commission - Water Ban

Roger Mann of the Water District appeared before the board to report on the water ban. A water connection has been constructed to bring water from Lowell to Chelmsford. Mr. Mann wanted to thank the state for their quick work in pushing this through. He went on to say that the public is still not abiding by the ban and tank levels continue to be low. He reminded the public that the ban is still in effect. **Watering is permitted from 6am - 9pm on odd days.** He then invited the BOS to attend a meeting of the Water District to discuss the Barnes Terrace New Well on July 7, at 6:00 pm.

APPROVAL OF MINUTES

May 10, 1999 and June 17, 1999,

Selectman Eliopoulos made a motion to approve the minutes from the May 10 th and June 17th BOS meetings. Selectman McCall seconded and the motion passed unanimously.

SCHEDULED BUSINESS

Public Hearing - Byam Road Pole and Bowl Road Pole and Underground Cable

Kathy Frazier of Bell Atlantic appeared before the board to request the acceptance of a petition for a pole on Byam Road near the Robin Hill Rd. intersection. Sel. Eliopoulos made a motion to accept the petition for a pole on Byam Road placed 3 feet from the berm. Selectman McCall seconded, motion approved unanimously.

Ms. Fraser then requested the acceptance of a petition for a pole on Bowl Road near Lancaster Ave. Sel. Eliopoulos made a motion to accept the petition for a pole on Bowl Road placed 3 feet from the berm. Sel. McCall seconded, motion approved unanimously.

Ms. Fraser then reported on the progress of double pole removal on Davis Road. Sixteen poles have been removed leaving under a hundred remaining. MediaOne has yet to remove their connections, which is holding things up. Mr. Lynch said that Mr. Carr of MediaOne will be appearing before the board to address the pole issue if their lines were not off the Davis Road poles by the next Board meeting.

Automatic Amusements - Papa Gino's

The amusement license for Papa Gino's is continued to the July 12th meeting.

Protech Auto Sales - Class II Dealers License, 65 Tyngsboro Road

Scott Barlow, Protech Auto Sales, appeared before the board to request a Class II Dealers License for 65 Tyngsboro Road. Mr. Barlow will abide by the 12 car limit set by the building inspector. In response to a question put to him by the board, Mr. Barlow stated that there would be no mechanical work done on the premises including minor work. Sel. Eliopoulos made a motion to approve a Class II Dealers License for 65 Tyngsboro Road pending the return of the completed "green cards". Sel. McCall seconded, motion passed unanimously.

St. Vartanantz Armenian Church One Day Licenses - 5 Dates

Pat Amboian, Chairman of the Parish Council, appeared before the board to request alcoholic beverage licenses for five dates. Selectman Eliopoulos made a motion to approve one-day alcoholic beverage licenses for the following:

- Beer and Wine license for 8/1/99 from 12-6 pm
- Beer and Wine license for 8/8/99 from 12-6 pm
- Beer and Wine license for 8/15/99 from 12-6 pm
- All-Alcoholic license for 9/25/99 from 7-12 pm
- All-Alcoholic license for 7/31/99 from 7-12 pm

Selectman McCall seconded, motion passed unanimously.

Public Hearing - Application for Beer and Wine Package Store License - Village Square Convenience Store - Continuation

Attorney John Mahoney appeared on behalf of Kalpana Chatterjee of Pari-Binoy, Inc to request a Beer and Wine license for the Village Square Convenience Store. Selectman Weisfeldt opened the hearing to public comment. Bill Vines, 166 Pinehill Road approached the board to oppose the issuance of the license. He owns property on Fletcher St. and pointed out that there is a convenience store with a beer and wine license 7/10's of a mile away.

Selectman Eliopoulos questioned Mrs. Chatterjee as to the amount of time she intended to spend in the store. She replied that she intended to be in the store in the evenings and on the weekends. She was then questioned about her experience in the sale of alcohol. She replied that she managed her husband's doctor's office and previous to that had worked in a bank. Mr. Mahoney continued that she had completed the state certification program. At this point, Sel. Eliopoulos made a motion to close the public hearing. Motion seconded by Selectman McCall and passed unanimously.

Mr. Lynch provided the board with a map of the town and the locations of the existing liquor licenses. This information was provided at the request of the board. Mr. Moran made the statement that he did not see the public need for another license at this time and would not be voting to approve. Mr. Mahoney argued that the location was a perfect one because of its proximity to a main thoroughfare and its being right off of 495. Selectman McCall emphasized that the liquor license policy was based on need and that there are at least three existing stores in the central area. He concurred with Selectman Moran's assessment that it doesn't meet a public need. Sel. Eliopoulos made a motion to find fact that (1) the applicant hasn't found a public need and (2) the applicant hasn't demonstrated prior experience with this business. Selectman McCall seconded, motion passed unanimously. Selectman Eliopoulos then made a motion to deny the liquor license based on the findings of fact. Selectman McCall seconded, motion approved unanimously.

TOWN MANAGER APPOINTMENTS

Town Manager Lynch read the list of annual appointments. Selectman Eliopoulos made a motion to approve the appointments as read. Selectman McCall seconded and the motion passed unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Contract Awards: Highway Bids/Sealed: June 3, 1999

Town Manager Lynch read the following list of contracts to be awarded to the lowest bidders. Selectman Eliopoulos made a motion to approve the contract awards as follows:

Bid Item #	Name	Low Bidder
#3	Bituminous concrete	
	— In place (machine)	Bardon Trimont
	— Concrete at plant	Bardon Trimont
	— Handwork	Bardon Trimont
	— Berm (in place)	Bardon Trimont
	— Cold patch (F.O.B.)	Bardon Trimont
	— Cold patch (Del)	Bardon Trimont
	— Adjust castings	Bardon Trimont

Bid Item #	Name	Low Bidder
#4	Crack sealing	Sealcoating Inc.
#5A	Basin cleaning	Leo Vigeant Co., Inc.
#6	Heavy equipment rental	
	— Excavator	Drum Hill Construction
	— D-8 & D-6 Dozer	Mass Paving
	— Roller & Front Loader	Drum Hill Construction
	— 10 & 18 Wheeler	Mass Paving
	— Roadside Mower	Glenn Kohl
#7	Traffic markings	Markings, Inc.
#9	Aggregate	Middlesex Brox
#10	Street sweeping	William E. O'Brien
#14	Excavation by cold planer	Bardon Trimont
#15	In-place recycling bituminous concrete	Mass Paving
#16	Vertical granite curb	Ruggiero Construction
#17	Sloped granite curb	R.S. Hurford
#18	Remove/reset curb	R.S. Hurford
#19	Guardrail	
	a. Installation only	DeLuca Fence
	b. Installation/Disposal	Steidler Construction

Selectman McCall seconded, motion approved unanimously.

Medical Stop Loss Coverage

Mr. Lynch awarded the Medical Stop Loss Coverage contract to Cook & Company, the overall low bidder. Selectman Eliopoulos made a motion to approve the Medical Stop Loss Coverage contract to Cook & Company. Selectman McCall seconded, motion approved unanimously.

TOWN MANAGER REPORTS

School Funding

Mr. Lynch reported on a meeting that he had attended recently in Acton with area communities of similar demographic characteristics to Chelmsford. It was clear that education aid is not appropriate. He continued that it was the position of this board that the formula needs to be adjusted. Many of the communities he met with support the League of Women Voters funding formula.

Central Square

Mr. Lynch reported on a positive meeting with the property owners and merchants of Central Square. Most commercial properties are filled at this time. There are plans for many public improvements. Two banks were present at the meeting. Enterprise Bank is making money available to provide financing for façade improvements.

Street Paving List

Mr. Lynch presented the board with a list of street paving from the Sewer Commission and the DPW. This was provided in response to a request from the board.

Freeman Lake

The leaks in the dam at Freeman Lake have been patched. The valve is out to bid and the contract should be awarded at the July 12th meeting. The water level is two inches below the spillway and the gate is closed off.

Highway Yard

Mr. Lynch reported that the highway yard building has been powerwashed and will be ready to paint in the next week. The front has been seeded and the privacy slats are on order and will be installed when they come in. There are plans to add on to the building so that it can house the entire public works operation including the sewer commission. Selectman Weisfeldt mentioned that an identifying sign might be in order. Mr. Lynch agreed and said he would look into it.

Housing Authority Property

Mr. Lynch said that a tour of the Housing Authority Property has been scheduled. The goal to get different ideas specifically about creating more elderly housing. There should also be a focus on identifying some parcels of land and exploring funding options.

Skateboard Park

Mr. Lynch reported that it is possible that the Skateboard Park will not go in behind the baseball field behind the Town Offices. Another proposed location is behind the new police station where is would replace some of the tennis courts. The Town has recently added tennis courts and is revamping some of the others. Skateboard park plans will go to Town Meeting this fall and the park could be a reality in the next 9 months.

Varney Playground

The Varney Playground project was kicked off last week. The architects are working on things with input from the kids.

Traffic

Meetings have taken place with the working group, Chief McCusker and other people with the Police Traffic & Safety Unit. Signage has gone up at the intersection of Davis and Westford. In general there are many issues to be addressed in regards to traffic. Mr. Lynch went on to say that there is a good working staff there. It would be helpful to have the board liaison in attendance. The traffic hotline is working well. Selectman Moran commented that there is a need for a mechanism to monitor the status of a problem so that feedback can be provided to the residents.

Y2K

Mr. Lynch reported on the Y2K issue. The Town informal systems are near completion, and we are currently working to ensure our vendors meet requirements as well. However, contingency plans are in place in the event that something does happen. He emphasized the importance of being mindful of people overreacting and stressed the importance of providing accurate information to the public.

SELECTMAN REPORTS/REFERRALS

- Selectman McCall wished to congratulate all the graduating seniors. He went on to say that the Post-Prom Breakfast was a great success and thanked all the organizers and those that made donations to the event.
- Selectman McCall reported on his attendance at a presentation and potluck supper put on by the Chelmsford Chinese Language School. This is an organization of parents that teach their children and anyone else Chinese. The school meets during the school year on Friday nights at the Chelmsford High School.
- Selectman McCall commented on some information he obtained from the Dept. of Defense's website concerning Y2K preparedness. According to the checklist the website provided, Chelmsford is right on target or even ahead.
- Selectman Moran reported that he and Mr. Lynch were attending School Facilities meetings. At this point, they are still waiting on crucial future enrollment information.
- Selectman Moran said that the new Cable Access Truck is up and running. He then recommended that the board take a tour of it.
- Selectman Moran congratulated the Chelmsford High School's girls softball team on its championship win.
- Selectman Weisfeldt also congratulated both the girls and Coach Rich on a great season and expressed his great pride at being able to present the trophy to the team.
- Selectman Moran said that the liquor regulations were nearly complete and would be presented at the next meeting.
- Selectman Weisfeldt questioned a big cost that had come up in the Center School project. Mr. Lynch replied that these costs were already in the budget and that the carpeting was ready. Selectman Weisfeldt asked about the punch list and whether the school would be able to open. Mr. Lynch responded that the building would have to pass an inspection and get an occupancy permit. Most of the remaining things would be small and often related to side effects of construction.
- Selectman Eliopoulos recommended that the appointees to the Board of Appeals and Board of Conservation receive some training. Mr. Lynch agreed.
- Selectman McCall sent out condolences to the Dalton family on behalf of the board.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, July 12, 1999.

EXECUTIVE SESSION

There being no further business the regular meeting adjourned at 9:30. The Board voted to go into an Executive Session for the purpose of discussing real property.

Respectfully submitted,

Donna McIntosh

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MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN WORK SESSION
GOAL SETTING
JULY 8, 1999

A work session of the Board of Selectmen was held on July 8, 1999 at the Town Offices beginning at approximately 8:20 p.m. Board members present were Selectman Weisfeldt, Selectman Eliopoulos, Selectman Moran, Selectman Dalton and Selectman McCall. Also present were Bernard Lynch, Town Manager and John Coderre, Asst. to the Town Manager.

Town Manager's Status Report

The purpose of the work session was to review the *Town Manager's Status Report* and to set goals for the coming year. The report outlines over 40 ongoing projects, concerns and initiatives. Mr. Lynch briefly touched upon some of the 43 items in the report and invited the board's comments and questions regarding the items. He explained that he wanted to give the board a sense of what the town had been working on, and provide them with status and target dates. He emphasized that many of these items were ongoing projects to be achieved over time. Some had already been in process for quite some time.

Goals

Town Manager Lynch said that there was a lot on the table and suggested the following areas to focus on: tax relief, Central Square improvements, traffic and water issues.

Mr. Lynch began with a discussion of tax relief. The idea is to continue to minimize costs and turn back the money to the public in the form of tax relief. At this point the tax rate is heading towards the 17's. Mr. Lynch's concern is that one day the drop in the tax rate is going to stop and it's going to be a big hit to the public. Mr. Lynch said that they have been following the five-year goal of maintaining a 5% stabilization fund. He agreed that the stabilization fund is important to the Town and as a goal could be folded in with tax relief.

Mr. Lynch then began a discussion regarding the DPW. Selectman Moran said that he would like to see a process where the public can call in to report a problem and get a call back or an update as to the status of the problem. Mr. Lynch responded that the DPW is involved in a wide array of projects and that the DPW should be staffed up. Mr. Moran continued that one idea was to have a website where problems could be logged in and the complainant can look it up and check on the status.

Selectman Eliopoulos suggested an "audit" of sorts for the DPW to assess their needs in servicing the town. He feels that one of the goals should be the maintenance of the stabilization fund. could be folded in with tax relief. Selectman Eliopoulos then turned the discussion to the issue of water.

Town Manager Lynch stated that given the situation with the bog, East Water District and Center District, the issue of water is one where the people in Town are looking for answers. Water is something that should be looked at from a Town-wide perspective. Water is an issue in terms of growth, both current and potential. Mr. Lynch continued that there is a need to understand the scope of the problem. He then read a proposal of the potential study points. Selectman

Eliopoulos said that the study could serve to help the districts forecast need. He continued that the study should help to determine whether the current system meets the needs of the Town. Selectman Moran said that there is a need for a comprehensive study. Selectman Dalton said that this is in response to the public and that the water districts don't have the answers.

Town Manager Lynch and the board agreed to set tax relief and stabilization, the Central Square project, traffic, the DPW, and a water study as goals for the coming year. The work session adjourned at 9:30 p.m.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

JULY 12, 1999

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TOWN CLERK
CHELMSFORD

A regular meeting of the Board of Selectmen was held on July 12, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Stuart Weisfeldt, Selectman Bill Dalton, Selectman Phil Eliopoulos, Selectman Tom Moran and Selectman Mike McCall. Also present were Town Manager Bernard Lynch, and Assistant to the Town Manager John Coderre.

PUBLIC SERVICE ANNOUNCEMENT

Congratulations - Chelmsford High School Girls Varsity Softball Team

Selectman Weisfeldt congratulated the Chelmsford High School girls' varsity softball team on their State championship win. Each player and coach was presented with a certificate of recognition.

Appreciation - Firefighters William Hadley, Leo Martin, and Michael McTeague

Selectman Dalton presented a plaque of appreciation to Firefighters William Hadley and Michael McTeague for 30 and 25 years of dedication to the Town respectively. Each recipient made a speech thanking the board, the town and especially their wives and families for their support. Leo Martin was also presented with a plaque for 30 years of service. He was not present to receive it.

OPEN SESSION

Center Water District

John Harrington of the Center Water District thanked the board for attending the Water District's meeting the previous week. He reported that the water tanks were close to full and the water ban was now from 6-9 p.m. on odd days. Certain areas of Town were still experiencing periodic water shortages, particularly in the higher areas. Seventy-five thousand dollars has been appropriated for a pumping station to be installed in the next month or so. The temporary connection with Lowell has worked well. The Water District hopes to implement a permanent station to serve as a mutual aid station for emergency situations.

Mr. Harrington went on to say that the Town's plan to conduct an independent study was appreciated. The water district has a wealth of information to share and contribute to the study. The Center District also intends to contribute monetarily.

Gary Kinney of the East Water District spoke to the board, emphasizing the amount of cooperation that occurs between the districts. He also expressed support for the study.

APPROVAL OF MINUTES

June 7, 1999

Selectman Eliopoulos made a motion to approve the minutes from the June 7 regular Board of Selectmen meeting with a correction. Selectman McCall seconded and the motion passed unanimously.

SCHEDULED BUSINESS

Approval of Septic Loan - Fred Mansfield, Treasurer

Fred Mansfield came before the board to seek approval of the $100,000 Community Septic Management Program Bond. This is a 0% interest bond to be repaid over 17 years. The funds would be made available to town residents whose septic systems fail. Selectman Eliopoulos made a motion to approve the issuance the Community Septic Management Program Bond. Selectman McCall seconded, motion passed unanimously.

Public Hearing - Petition, Mass. Electric Company Conduits - Technology Drive

The public hearing for a petition to approve the conduits on Technology Drive was continued to the next meeting.

Public Hearing - Joint Pole Petition, Bell Atlantic & Mass. Electric Company Chelmsford Street

Ed Shanley of Dracut appeared before the board on behalf of New England Telephone to request approval for the installation of a pole. Sel. Eliopoulos made a motion to approve a pole petition for the installation of the pole on Chelmsford St. to be placed on inside of the sidewalk. Sel. McCall seconded and motion passed unanimously.

Town Manager Lynch reported that he has received word that there were only six poles remaining on Davis Road.

Public Hearing - Automatic Amusements, Papa Gino's

Richard Schwartz, Foto Fantasy Inc. appeared before the board to request a Weekday Automatic Amusement Device License for the installation of a Beanie Baby chance machine in the Papa Gino's at 29 Chelmsford Rd. Selectman Eliopoulos made a motion to approve the license at Papa Gino's. Selectman McCall seconded. The license was approved 4-1 with Sel. Moran voting against.

TOWN MANAGER APPOINTMENTS

Town Manager Lynch made the following appointments:

Cultural Council	Donna Thoene
	Carol Merriam
	Kathleen O'Brien
	Linda Carney (new)
Holiday Decoration Committee	Carrie Bacon
	Ellen Donovan
	Linda Emerson
	Donna Johnson
	Jacqueline Wunschenel
	Marie Massota
	Ruthann Burkinshaw

	Tink Nussbum
	Gloria Schoen
	Linda Harrington
	Jean Kydd
Merrimack Valley Health Planning Council	Martin Walsh
Census Update Committee	Mary St. Hilaire
	Andy Sheehan
	Dennis Ready
	Joel Karp
	W. Dalton
	R. Moser, Supt. of Schools
	Board of Registrars
	Diane Phillips

Selectman Eliopolous made a motion to approve the annual appointments. Selectman McCall seconded, motion approved unanimously.

UNSCHEDULED BUSINESS

Orders of Takings and Declarations of Easements

Selectman Eliopolous made a motion to approve the Orders of Takings and Declaration of Easement on the Northwest Chelmsford Area, Phase 4A Sewers. Selectman McCall seconded, motion approved unanimously.

BOS Appointments

Selectman Eliopolous made a motion to approve the following Selectman appointments:

Town Accountant (3 year term)	Jean Sullivan
Town Counsel	Kopelman & Paige
Sewer Counsel	James Harrington Harrington & Rafanelli
Capital Planning	John Morrison Francis Miethe

Selectman McCall seconded, motion approved unanimously.

TOWN MANAGER REPORTS

Route 3

Mr. Lynch reported that the Route 3 project is moving along. It would be coming out of committee at the State House as early as the next day. Mr. Lynch has a meeting with Mass Highway on July 26.

Boston Road Bridge

Mr. Lynch reported that jersey barriers were up on the bridge over the Mill Pond on Boston Road in anticipation of bridge work. The work should be done in August with the bridge down to one lane. It is expected that the work will take approximately one month. The project is financed through Chapter 90 money.

Goals 2000

Town Manager Lynch said that he and the Selectmen had had a productive work session to set goals. Prior to the work session they had taken a tour of a number of facilities including the library and golf course.

At the work session's outset, Mr. Lynch presented the board with the Town's Status Report, a document that outlines over forty ongoing town projects and concerns. Of those goals the Selectmen, in conjunction with the Town Manager set five primary goals for FY 2000. Mr. Lynch then discussed the five individually.

1. Tax Relief and Stabilization

   Maintaining a stabilization fund provides the town with the money to fund capital projects. It also allows for a reserve, should the economy flatten out or takes a down turn. The effort towards tax relief is a year-long project.

2. Traffic Action Plan

   Traffic continues to be a concern. The goal is to identify hotspots and address these with education and enforcement. The board will be provided with regular updates.

3. Central Square Improvement

   The goal is to improve the appearance and utility of the town center. This project is dependent on the state providing adequate funding.

4. Water Service Study

   The independent study will analyze the water needs of the Town. The scope of the study is being determined. The study should be completed by January 2000.

5. DPW Needs and Procedures Analysis

   The Town Manager's office is working to assess the demands on the DPW. This analysis is timed to go with the budget cycle.

Selectman Eliopolous made a motion to approve the goals outlined above. Selectman McCall seconded, motion approved unanimously.

SELECTMAN REPORTS/REFERRALS

- Selectman Dalton questioned Town Manager Lynch as to the progress of the Main St. Firehouse. Mr. Lynch answered that the property would be put out to bid in September.
- Selectman Dalton mentioned that the Highway Barn had been painted and was looking much improved. Mr. Lynch said that work was underway to landscape and they were looking into purchasing a sign to identify the building.
- Selectman Moran mentioned an article outlining a proposal for a railroad connection from Nashua to Lowell. He requested a motion be made to endorse the project to the proper sponsors. Selectman Eliopolous made such a motion. Selectman McCall seconded, motion approved unanimously.
- Selectman Moran asked if any progress had been made regarding the line painting in North Chelmsford. Mr. Lynch said that as of yet he had heard nothing regarding a firm date.
- Selectman Moran wanted to clear up any possible misunderstanding regarding the opening of the Visitor's Center on Rte. 495. He wanted it known that the Selectmen had not snubbed the opening, they in fact, had not been invited.
- Selectman Moran wondered about the work being done on a bridge near Bainbridge's. It seems that preparation had been done for work but had been abandoned. He was especially concerned about the integrity and safety of the bridge. Town Manager Lynch responded that the bridge was safe and the work had been pushed off for a time. It was now back on line.
- Selectman Moran discussed the possibility of setting up a work session to work on the Liquor Regulations so that it could come up for a public hearing before the Fall Town Meeting. Mr. Lynch said that he hoped to schedule a work session in August and have it appear before a public hearing in September or October. Selectman Eliopolous suggested having the Selectmen look it over and have a list of written comments prepared. Selectman Weisfeldt commended Selectman Moran and Selectman Eliopolous on a job well done. Mr. Lynch went on to commend John Coderre and Marian on their hard work.
- Selectman McCall reported on the lack of progress being made towards the installation of a railroad crossing at Meadowbrook. He had gone to the State to research a crossing and was told that the crossing is not the State's responsibility. Mr. Lynch responded that the railroad company needs to be pushed.
- Selectman McCall reported that he had seen a near accident in the Town Center on a gas station's property. The accident was due to people not following station's signs. Mr. Lynch responded that the improvements planned for the Town Center should help the situation. In general, not much can be done about private property.
- Selectman McCall brought up the concerns of the small machine shop needing town approval to be in line for bond. Mr. Lynch said that it was no problem.

- Selectman Eliopolous brought up the Senior Tax Rebate Program. Mr. Lynch said that Jean Sullivan was working with him on that issue and that he would be reporting on that in the near future. Selectman Eliopolous reported that the revised Traffic Committee meeting was cancelled at the last minute. He would keep the board appraised of any developments once the committee had met. He went on to say that he would be the point person for any traffic concerns of the board.
- Selectman Weisfeldt said that as a liaison to the Sewer Commission he wanted to announce the nomination of Jack Emerson for a National Collection System Award to be presented on Oct. 12th and 13th in New Orleans. He went on to congratulate Jack on behalf of the board.
- Selectman Weisfeldt thanked the Elks, Walter Hedlund and the Celebration Committee for the wonderful Fourth of July parade. He thanked the board and Mr. Lynch for their attendance at the parade.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, August 16, 1999.

EXECUTIVE SESSION

There being no further business the regular meeting adjourned at 8:40.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

AUGUST 16, 1999

A regular meeting of the Board of Selectmen was held on August 16, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Stuart Weisfeldt, Selectman Bill Dalton, Selectman Phil Eliopoulos, Selectman Tom Moran and Selectman Mike McCall. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Award of Appreciation -- Chelmsford Cultural Council; Susan Carmeris, Judith Fichtenbaum

Susan Carmeris and Judith Fichtenbaum were presented awards of appreciation for their service to the Chelmsford Cultural Council. Selectman Eliopoulos read the proclamations expressing gratitude for their service and contributions to the council from 1993-1999.

OPEN SESSION

Approval of Minutes from June 21, 1999

Selectman Eliopoulos made a motion to approve the minutes from the June 21 regular BOS meeting. Selectman McCall seconded and the motion passed with one abstention. Selectman Dalton abstained due to his absence from that meeting.

Bruce Clark - Chelmsford North Water District

Bruce Clark of the Chelmsford North Water District came before the board to provide an update on some things they had been doing. He emphasized that the North District was a bit ahead of the game in trying to plan for the future. Mr. Clark gave out copies of a study the water district commissioned in October 1998. The study, conducted by Dufresne-Henry, identified a few potential well sites. The most promising being a location behind the Highway Garage on Richardson Road. The water district wants to explore the possibility of conducting more extensive tests on the site with a view towards purchasing it.

He went on to say that in March the North District approached Lowell about purchasing water. Permanent hook-ups on Technology Drive have been installed, although they are not currently in service. These preparations are in place, anticipating a greater need for water in the Technology Drive area. They are still working out the details of a contract with Lowell.

Town Manager Appointment -- Commission on Disabilities

Mr. Lynch appointed Sandy Momaney to the Commission on Disabilities. The appointment fills the spot vacated by the resignation of John Clancy. Selectman Eliopoulos made a motion to approve the appointment of Sandy Momaney to fill the unexpired term of John P. Clancy ending June 30, 2001. Selectman McCall seconded, motion passed unanimously.

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SCHEDULED BUSINESS

Public Hearing - Petition, Mass. Electric Company Underground Conduits - Technology Drive (Rescheduled)

Dave Boucher of Mass Electric appeared before the board to request approval for an underground conduit on Technology Drive. Mr. Lynch reported that Jim Pearson had approved the plan. Selectman Eliopoulos made a motion to approve a pole petition on Technology Drive (Plan #T-767). Selectman McCall seconded, motion approved unanimously.

Public Hearing - Petition, New England Telephone Underground Conduits - Technology Drive

Joe Gleason of New England Telephone appeared before the board to request approval for an underground conduit on Technology Drive. Mr. Lynch reported that Jim Pearson had approved the plan. Selectman Eliopoulos made a motion to approve a pole petition on Technology Drive (Plan #966). Selectman McCall seconded, motion approved unanimously.

Mr. Gleason then reported that there were only 80 double poles remaining in Chelmsford. This number is made up of 36 poles owned by New England Telephone, 20 or so by Mass Electric and the rest by various other groups.

Proposed Development - Richardson Road -- Tom Gonsalves, TBG Development Corp.

Mr. Lynch prefaced a presentation by Tom Gonsalves of TBG Development Corp. by saying that affordable housing, particularly for the elderly has been one of the ongoing goals of the board. They had been working with the Chelmsford Housing Authority to try and identify more housing. He would recommend that if the board is interested in this proposal they refer it to the Affordable Housing Review Committee.

Mr. Gonsalves introduced himself and described the proposed development. The development would consist of 16 one bedroom age-restricted apartments located at 86 Richardson Rd. Eight of the sixteen units would be designated for low to moderate income renters. Mr. Gonsalves went on to say that the property is zoned multifamily and abuts Richardson Rd. and Hitchinpost Condominiums. His purpose before the board was to seek approval from the board and Town Manager in order to continue with the permitting process. He went on to say that Dave Hedison of the Housing Authority supports the proposal. Members of the board congratulated Mr. Gonsalves on his initiative and spoke in support of the plan.

Selectman Eliopoulos made a motion to forward the plan to the Affordable Housing Review Committee. Selectman McCall seconded, motion passed unanimously.

Frank's Farm Subdivision (Planned Open Space), 66 Concord Road -- Atty. Karen McDonough

Attorney Karen McDonough appeared before the board to request approval for a conservation restriction for a piece of property known as Frank's Farm Subdivision for the purpose of planned open space. Selectman Eliopoulos made a motion to approve the planned open space for Frank's Farm Subdivision at 66 Concord Road contingent upon the approval of the Conservation Commission. Selectman McCall seconded, motion approved unanimously.

UNSCHEDULED BUSINESS

Central Square Traffic - Acton Road

Mr. Lynch said that a portion of the Central Square Traffic Plan includes a change at the stop of Acton Road and Bartlett Street to a free flow of traffic for the eventual merge with vehicles coming from the center. Selectman Eliopoulos made a motion to vote to eliminate the stop sign at Acton and Bartlett Street and replace it with a yield sign. Selectman McCall seconded, motion passed unanimously.

TOWN MANAGER REPORTS

RCN Cable Company

Mr. Lynch reported that the town has received the revised RCN cable application to provide service. The application will be referred to committee to be reviewed. The report will be made available to the board when complete. This is good news for the Town as it will provide a choice in cable service providers.

Chelmsford Cinema Property

Mr. Lynch reported that the Town had received notice from the State regarding a parcel of land that has been declared surplus. This piece of land is approximately 2800 sq. ft. in the parking lot of the Chelmsford Cinema. It is standard practice to notify the Town and seek a public use. The Chelmsford Cinema property abuts the railroad right of way and could possibly be used as parking for the proposed bike path. Mr. Lynch recommended informing the proper State agency that this is adjacent to where the bike path, a State project, is located. Mr. Lynch said that he would contact them in writing with this information.

State Budget

Mr. Lynch said that they are still waiting on the State Budget. He continued that Selectman Moran had pointed out that this could be causing problems. He agreed, particularly in outlining what the Town's financial picture is for FY2000, especially for education funding. The biggest question mark is State aid. It also inhibits the ability to do five-year projections. They were working with the preliminary numbers and in all likelihood would get more. The main point was that it is inhibiting the ability to plan.

Route 3

Mr. Lynch said that the board had the opportunity to be in Billerica for the Route 3 expansion bill signing. He continued that under the legislation there was a provision for adequate local government representation through an advisory council. Kevin Sullivan, the Secretary of Transportation called recently regarding the Advisory Council. Mr. Lynch recommended to the board that they choose a member to serve on the advisory council. He asked that the chairman let him know who that member will be so that he can notify Secretary of Transportation. Selectman Weisfeldt said that he would take it under consideration.

Water and DPW

Mr. Lynch informed the board that the water study RFP was out and responses should be back by the beginning of September. He should have something for the board's approval by sometime in the middle of September. He said that they were moving forward on the examination of the DPW. He contacted the MMA about bringing some people in to continue the study.

SELECTMAN REPORTS/REFERRALS

- Selectman Moran said that he and other members of the board were present at the ceremonial signing of the Route 3 bill in Chelmsford. He is pleased that the bill has been signed. He expressed concern about the Big Dig slowing down funding for other projects. This is of particular concern for Chelmsford. There needs to be some coordination between the Town Center project and the Route 3 project. The board agreed that of all the communities in the Merrimack Valley, Chelmsford would be most impacted by the project. At this point, the Town is waiting for funding for the Center Project, Bike Path and traffic lights. It was agreed by all that there needs to be some direction in what order these projects are considered in. The Center project and the traffic lights are at a much higher priority than the bike path and the legislature must be made aware of that. Mr. Lynch agreed that it was crucial to get the funding identified for the town specific projects before the Route 3 project gets underway and that he would get to work on it.

- Selectman Moran said that he had visited Freeman Lake last weekend. The water level had dropped off about 2 feet. Mr. Lynch said that there had been reports of high bacteria levels in the water due to the low level and stillness.

- Selectman Moran requested a look into providing the Old Town Hall with a way to move the air, perhaps some fans. Mr. Lynch responded that Jim Pearson was looking into it and that plans were in the works. Selectman Moran went on to say that he had received a complaint from a resident that the bathrooms in the Old Town Hall had been locked while the building was open. He wanted it known that according to the Board of Health restrooms in public facilities may not be locked while the building is open.

- Selectman McCall said that he had recently attended a meeting of the Commission on Disabilities. They are stepping up on their sticker program to provide handicapped compliant businesses with identifying stickers. They are looking to step up enforcement of handicapped parking. Handicapped parking violators will be "ticketed" with yellow warning flyers.

- Selectman McCall said that he had received some calls from Bentley Lane residents regarding curbing. Mr. Lynch responded that he had spoken with Jim Pearson and that they are ready to go and would chalk it off as soon as they got the word that the curbing contractor was ready to sign.

- Selectman Weisfeldt reported that the Center School Committee met last week. There seems to be a number of little things to be done but the Clerk of the Works and the contractor assured them that they would be ready to go. There will be an open house for the parents before school starts and then a general open house October 3.

- Selectman Eliopoulos requested that the Status Report on Town Projects be printed in the fall newsletter. Mr. Lynch responded that the fall newsletter had gone to print. The bigger issue was the length of the document. Selectman Eliopoulos said that it was valuable for the residents of Town to know what projects are going on and where their tax dollars are going. The Town Manager suggested that it could perhaps be put on the web where its length wouldn't be such an issue.
- Selectman Dalton wondered what was happening with the sidewalks from Dalton Road onto North Road. Mr. Lynch said that sidewalks in that area were planned. However, providing sidewalks around schools and in the center remained at a higher priority level. Sidewalks in this area would likely be done in the next few years.

PRESS QUESTIONS

Darren Berard of the *Lowell Sun* asked for the water study RFP deadline. Mr. Lynch responded that it was the definitely the first week in September, probably September 8th. Mr. Berard then posed the question about the buffer zone between the proposed well on Richardson Road and the existing property line. Mr. Lynch responded that there were a number of things that needed to be taken into consideration. The buffer is 400 ft from any existing property.

Mr. Berard asked whether anything was currently on the site of the proposed TBG development site. Mr. Lynch responded that there was a single family home on the site.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, September 13, 1999.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing contract negotiations and the acquisition of real property and then into a work session to discuss the liquor regulations. Selectman McCall seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye, SGW-Aye. There being no further business the regular meeting adjourned at 8:30.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

September 8, 1999

A special meeting of the Board of Selectmen was held on September 8, 1999 at the Town Offices. Board members present were Selectmen Stuart Weisfeldt, Michael McCall and Philip Eliopoulos. Also present were Town Manager Bernard Lynch, Treasurer Fred Mansfield, and Assistant to Town Manager John Coderre.

I. Issuing of Bond(s)

Sel. McCall made a motion that the Town shall issue a bond or bonds in an aggregate Principal amount not to exceed $11,100,000.00 pursuant to Chapters 29C and 44 of the General Laws and a vote of Town passed on April 24, 1989 (Article 8) and April 29, 1996 (Article 15), for construction of sewers and other waste pollution control facilities.

Sel. McCall made a further motion that the Treasurer take all actions necessary in the execution of these bonds as prepared by Bond Counsel, items 1 through 5. Sel. Eliopoulos seconded, and the motion passed unanimously.

II. Order of Taking – Freeman Lake Water Rights

In accordance with the vote under Article 32 of the May 1, 1997 Town Meeting, the Town Manager has entered into a contract for the replacement of the spillway valve to the Freeman Lake dam. The water rights are held by the J.A.E. Realty Trust, which the Town has voted to acquire so as to proceed with replacing the spillway valve. The Mill Condominium Trust is the successor in title to the water rights retained by the J.A.E. Realty Trust.

Sel. McCall made a motion to Take by Eminent Domain the referenced water rights, and further to proceed with an Order of Taking as prepared by Town Counsel. Sel. Eliopoulos seconded, and the motion passed unanimously.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Janet Murphy

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1999 SEP 14 AM 10:27
TOWN CLERK

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1999 OCT -8 PM 3:01
CHELMSFORD
MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES

SEPTEMBER 13, 1999

A regular meeting of the Board of Selectmen was held on September 13, 1999 at the Town Offices at 7:00 p.m. Board members present were Selectman Stuart Weisfeldt, Selectman Bill Dalton, Selectman Phil Eliopoulos, and Selectman Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Library Walk-a-Thon Fund Raiser - Pat Bell

Pat Bell announced the Chelmsford Public Library Walk-a-Thon to be held on Sunday, September 19th from 1:30 - 3 pm. All proceeds go to benefit the Chelmsford Public Library Endowment Fund. They are still seeking volunteers, walkers and donors. This is a community event with the 3-mile route starting at the McCarthy Middle School. The route is a level one, making it accessible to all members of the community. Those interested can contact Elizabeth McCarthy for more information.

Friends of Middlesex Canal - Jane Drury

Jane Drury, of "Friends of the Middlesex Canal," gave a presentation on the canal, which was built and used between 1793 and 1853. She said that it was crucial to building the economic vitality of the Merrimack Valley. She went on to provide further history of the 27 mile long canal. The group would like to preserve the site as a nature/historical walking path.

A piece approximately one-half mile long would be set up as a dirt and gravel walking path in Chelmsford. Informative signs would be placed at the entrance and vehicles would be restricted. The group is seeking an easement for a piece that runs through Town property. The piece is about 160 ft. long and 45 ft. wide. She invited anyone interested to attend a walk of the trail on Saturday, Sept. 18 at 10am or on Saturday, Oct. 2 at 2 pm. The walk would start at the far end of Brick Kiln Road.

Center Water District - John Harrington

John Harrington of the Center Water District announced that the water ban would be lifted Saturday, September 18th. The tanks are close to full at this time. Mr. Lynch said that the East District odd-day water ban would be in effect until October 1st. The North District ban was lifted September 1st. Selectman Dalton asked Mr. Harrington how much water had come from Lowell. Mr. Harrington responded that they were contracted for one million gallons per day but the hydrant capacity was limited to 800,000 gallons. Lowell supplied this amount of water for three months. A permanent connection to Lowell that could be used in emergencies has been established.

SCHEDULED BUSINESS

License for Public Amusement-Southwell Park Carnival - Joyce Johnson

Joyce Johnson of the "Friends of Southwell Park" came before the board to request a license for public amusement for a carnival to benefit Southwell Park. The carnival is contracted to Jaro

Amusements of Carlisle, a family-operated business. The carnival is part of the Septemberfest activities.

Selectman Eliopoulos made a motion to grant a license for public amusement to the Friends of Southwell Park for the dates of September 25 and 26, 1999. The motion was seconded and passed with two abstentions. Selectmen Dalton and Moran abstained.

Ms. Johnson went on to say that the Lucky Duck race was set for Sunday at 4 pm. Individual ducks can be purchased for $5 a duck. A flock of seven can be purchased for $25. Ducks can be purchased from Mary St. Hillaire.

St. Vartanantz Church-One Day All-Alcohol License

Pat Amboian of the St. Vartanantz Church, came before the board to request One Day All Alcohol Licenses for the following dates, October 2 and December 31, 1999 for the purposes of an Anniversary Party and New Year's Eve Party respectively.

Selectman Eliopoulos made a motion to approve One Day All Alcohol Licenses for October 2 from 12 - 5 pm and December 31 from 7 pm - 1 am at the St. Vartanantz Church, 180 Old Westford Road. Selectman Dalton seconded, motion approved unanimously.

Papa John's Restaurant-Common Victualer License

John Campbell, manager of the Papa John's Restaurant at 85 Parkhurst Road, came before the board to request a Common Victualer License. Selectman Eliopoulos inquired into the requested hours of operation which are Mon. - Sat. from 11 pm - 2 am and Sunday from 11- 12 am. Mr. Campbell said that they were hoping for college interest during the late hours but were finding it wasn't there. He anticipated opening from 11 am - 12 am Sunday - Thursday, and 11 am - 2 am Friday and Saturday. Selectman Weisfeldt inquired as to whether the proprietor was aware of the licensing requirements, as it appeared that the restaurant was already open. Mr. Campbell replied that the paperwork had been filed but this was the first available hearing.

Selectman Eliopoulos made a motion to approve a Common Victualer License for Papa John's Restaurant at 85 Parkhurst Road for the operating hours of Monday - Saturday 11 - 2 am and Sundays from 11 - 12 am. Selectman Dalton seconded, motion approved unanimously.

After the vote the board requested a review of the licensing process, in light of the fact that Papa John's Restaurant opened before its license was granted. Mr. Lynch said that the process would be reviewed.

Bertucci's Restaurant - Change in Manager

R. Michael Ballerini of 86 Hunters Run Place, Haverhill, came before the board to request a change in manager for Bertucci's Brick Oven Pizzeria Restaurant, 14E Littleton Rd. Mr. Ballerini stated that he would be receiving his TIPS certification within the next 6 weeks and had many years of food service experience.

Selectman Eliopoulos made a motion to approve a Change in Manager for Bertucci's Brick Oven Pizzeria Restaurant, 14E Littleton Rd to R. Michael Ballerini, deleting Anthony Balletta conditional on Mr. Ballerini's TIPS certification within 60 days. Selectman Dalton seconded, motion passed unanimously.

Public Hearing, Poles and Underground Conduit - Mediaone of Southern New England

Dave Filomen of Mediaone of Southern New England came before the board to request approval for a pole on Scientia Drive and underground conduit from the pole to 27 Industrial Drive.

Selectman Eliopoulos made a motion to approve a pole petition to Mediaone of Southern New England for the placement of one (1) pole on Scientia Drive with 418' of underground conduit on Scientia Drive to 27 Industrial Drive with 86' of underground conduit. Selectman Dalton seconded, motion approved unanimously.

Public Hearing, Joint Pole Petitions: Dalton Road, Westland Ave., Cypress St., Fern Ave. - New England Telephone/Mass. Electric

Kathy Frasier of Bell Atlantic came before the board to request approval of a pole petition for revised pole petition plan 967, dated 8/30/99. The petition is to place four poles on Dalton Road and remove four poles. One pole would be placed on Westland Ave., Cypress St., and Fern Ave.

Selectman Eliopoulos made a motion to approve the revised pole petition plan 967, dated 8/30/99 with the conditions that all poles must be placed on the back edge of sidewalk a minimum of six (6') from the curb line. Also the Town Engineer's Office (987) 250-5228 must be notified by Bell Atlantic two days prior to construction/relocation. Selectman Dalton seconded, motion approved unanimously.

Ms. Frasier reported that there were only 21 poles left to transfer with 77 remaining. Two poles remained on Davis Rd. with electric running to private property. The board commended Ms. Frasier for her hard work.

Halloween Date - Sunday, Oct. 31, 1999 - 5-8 pm

Selectman Eliopoulos made a motion to set the date of Halloween for Sunday, Oct. 31, 1999 from 5-8 p.m. Selectman Dalton seconded, motion passed unanimously.

In a further motion, Selectman Eliopoulos moved that Halloween should be placed permanently on the calendar as October 31, 1999 from 5-8 p.m. Selectman Dalton seconded, motion passed unanimously.

License to Sell Christmas Trees - Gregory Spring

Selectman Eliopoulos made a motion to grant Gregory Spring of 55 Graniteville Rd. a license to sell Christmas trees from 12/1/99 - 12/24/99 from 9 am - 9:30 pm. Selectman Dalton seconded, motion passed unanimously.

TOWN MANAGER APPOINTMENTS

Veterans' Emergency Fund Committee

Mr. Lynch appointed Robert E. LaPorte to serve on the Veterans Emergency Fund Committee and requested the board's approval.

Selectman Eliopoulos made a motion to approve the Town Manager's appointment of Robert E. LaPorte to the Veterans' Emergency Fund Committee. Selectman Dalton seconded, motion approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

Highway Equipment Bids

Mr. Lynch read the board the following Highway Equipment Bids for their approval:

Bid Item #	Name	Low Bidder
#1	15,000 GVW 4 Wheel Drive Truck	Colony Ford
#2	15,000 GVW 4 Wheel Drive Truck	Quirk Ford
#3	1/2 Ton Pickup Truck	Stoneham Ford
#4	Wheel Loader *The low bidder, Casey & Dupuis did not meet specs.	Southworth Milton (2nd low Bid)*
#5	4 Wheel Drive Backhoe Loader *The low bidder, Casey & Dupuis, along with the second low bidder, Schmidt, did not meet specs.	Southworth Milton (3rd low Bid)*
#6	185 CFM Portable Air Compressor	Nations Rent
#7	Trailer Mounted Disc Style Brush Chipper	Cleaves Co.
#8	Hydraulic Wheeled Excavator	Nations Rent
#9	New Skid Steer Loader	Bobcat of Worcester

Selectman Eliopoulos made a motion to approve the Highway Equipment Bids as read. Selectman Dalton seconded motion approved unanimously.

D.P.W. Study

Mr. Lynch asked the board to approve a bid for the D.P.W. study. This study will address the needs of the D.P.W., primarily in terms of staffing and equipment to accomplish the number of projects planned.

Selectman Eliopoulos made a motion to approve the award to MMA Consulting Group for the D.P.W. study in the amount of $22,000. Selectman Dalton seconded, motion approved unanimously.

Freeman Lake Valve

Mr. Lynch requested that the board approve a bid award to All Star Company to replace the valve at Freeman Lake for $19,000.

Selectman Eliopoulos made a motion approving an award to All Star Company of Ispwich for the replacement of a valve at Freeman Lake for $19,000. Selectman Dalton seconded, motion approved unanimously.

TOWN MANAGER REPORTS

Town Meeting Warrants

Mr. Lynch reported that in preparation for Town Meeting the warrant articles would be reviewed at the Sept. 20th meeting. A vote on the warrant articles would be conducted at the Oct. 4th meeting.

Codification

The codification project is complete. Mr. Lynch reminded the Board that this had been one of the goals set by the board. The by-laws were re-numbered.

Budget

Mr. Lynch reported that some budget items are coming in a bit lower than projected, these include the interest on late taxes and a snow and ice overdraft. He continued that they were still waiting on the state to approve a budget. There will be supplemental lottery money coming in.

DPW

Mr. Lynch said the DPW is tackling a number of projects. The Dalton Road and North Road sidewalk projects are moving forward. The Town is working towards becoming more pedestrian friendly.

Center School Project

Mr. Lynch commented on the Center School, saying it looks great and is a first class educational facility. A public open house and dedication is set for sometime in October. The date is not firm as yet.

Library

Mr. Lynch said that the library project is moving forward. The occupancy date is set for January.

Affordable Housing

Mr. Lynch reported on a meeting with Dave Hedison of the Affordable Housing Committee. The Committee is moving forward on two fronts. The first is adding an additional building to the development on Smith St. The building would have six to twelve units of elderly housing. The second is adding some units on Delaney Terrace through the Sect. 202 program. This would provide an additional 20 units between the two projects. The Committee is very interested in the Gonsalves' Richardson Rd. project. It is set to go before the Planning Board where a proposal will be structured and then it will be presented before the board. Mr. Lynch asked for a board representative to attend the meeting. Selectman Weisfeldt asked Selectman Dalton if he would like to represent the board and he agreed.

Newsletter

Mr. Lynch said that there were a number of interesting articles in the latest edition of the newsletter. He said that, in regards to an article about Y2K preparedness, there would be a meeting at the Senior Center about Y2K, geared to seniors but open to the public. There will be representatives from the banks and utility companies to address the concerns of the public.

SELECTMAN REPORTS/REFERRALS

- Selectman Weisfeldt asked how high the level of Freeman Lake was. Mr. Lynch assumed that with all the rain the previous week, the water level had come up.
- Selectman Eliopoulos brought up the issue of the Senior Rebate Program. He requested a report on what recipients were netting from the program. He wished to compare it to what they had received in previous years.

- Selectman Eliopoulos reported that the next Traffic and Safety meeting was set for October 5, 1999.
- Selectman Eliopoulos asked about Mass. Gravel. Mr. Lynch responded that they had received all documentation and done all the necessary testing and would be talking about it soon.
- Selectman Moran wished to set a date for a Public Hearing of the newly drafted liquor regulations so that they could be set in effect for the coming year. Mr. Lynch said that the finishing touches were being taken care of. It was decided that the Liquor Regulations would be put forward for public hearing at the November 11 meeting.
- Selectman Moran inquired as to whether a location for the skateboard park had been determined. Mr. Lynch said that they were still looking to putting in the same location but not taking the tennis courts. Tony Volpe, School Committee Chairman, came forward to speak to the issue. He stated that there was no conflict about the location but there were concerns about replacing well-used tennis courts. Mr. Lynch said that he would be proposing an alternative location soon. Selectman Weisfeldt said that he was glad to hear about the tennis courts. The tennis coach had approached him with his concerns, as he would like to hold tennis tournaments there.
- Selectman Moran reported that a resident abutting the proposed 495 rest area site approached him with an idea regarding trucks. The resident had seen rest areas in New York with posted signs prohibiting trucks from running their engines for more than 15 minutes. Mr. Lynch said that he would look into it and if there wasn't something on the books, Representative Cleven would be asked to file a bill.
- Selectman Moran asked Mr. Lynch whether a date had been set for perambulation. Mr. Lynch said that they were talking about Saturday, November 13.
- Selectman Moran announced the Cable Access Network is celebrating their 15th Anniversary with a party at the Elks Club on Saturday September 18th from 2-5 pm. The event is open to the public.
- Selectman Moran noticed an extremely large sign posted on the Drumhill Rotary belonging to the Outback Restaurant. He recommended that at the very least the restaurant should be notified and informed that this is not allowed. Mr. Lynch said that he would.
- Selectman Weisfeldt said that the Center School looks wonderful and all involved should be commended. There will be a public open house and dedication sometime in October. The exact date was still being determined.
- Selectman Weisfeldt said that the Chelmsford High School football season was being kicked off with a Spaghetti Supper hosted by the Booster Club. The supper is set for Friday night starting at about 5:30 at the high school.
- Selectman Weisfeldt said that the Sewer Commission's next work session would be September 15th.

APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

July 8th Work Session

Selectman Eliopoulos made a motion to approve the minutes from the July 8th work session with a correction to reflect the presence of Selectman Dalton. Selectman Dalton seconded, motion passed unanimously.

July 12th Regular Meeting

Selectman Eliopoulos made a motion to approve the minutes from the July 12th meeting. Selectman Dalton seconded, motion passed unanimously.

August 16th Regular Meeting

Selectman Eliopoulos made a motion to approve the minutes from the August 16th meeting. Selectman Dalton seconded, motion passed unanimously.

September 8th Regular Meeting

Selectman Eliopoulos made a motion to approve the minutes from the September 8th meeting. Selectman Dalton seconded, motion passed with two abstentions. Selectmen Dalton and Moran abstained.

June 21st Executive Session

Selectman Eliopoulos made a motion to approve the minutes from the June 21st executive session. Selectman Dalton seconded, motion passed with one abstention. Selectman Dalton abstained.

August 16th Executive Session

Selectman Eliopoulos made a motion to approve the minutes from the August 16th executive session. Selectman Dalton seconded, motion passed unanimously.

PRESS QUESTIONS

Darrin Berard of the *Lowell Sun* asked how much the DPW study was going to cost. Mr. Lynch said that it would be $22,000.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, September 20, 1999 at 7 pm.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing contract negotiations and the acquisition of real property. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, and SGW-Aye. There being no further business the regular meeting adjourned at 9 pm.

Respectfully submitted,

Donna McIntosh

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MARY E. ST. HILAIRE
TOWN CLERK

BOARD OF SELECTMEN MEETING MINUTES
SEPTEMBER 20, 1999

A regular meeting of the Board of Selectmen was held on September 20, 1999 at the Town Offices at 7:00 pm. Board members present were Selectman Stuart Weisfeldt, Selectman Bill Dalton, Selectman Philip Eliopoulos, Selectman Michael McCall, and Selectman Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Fire Prevention Week - October 3-9, 1999

Selectman Eliopoulos presented Chief Parow with a proclamation declaring the week of October 3-9 Fire Prevention Week. Chief Parow thanked the board and the Town Manager, then announced the Open House to be held at the Center Station on October 3rd from 1 - 3pm. Light refreshments would be served.

Friends of Southwell Park "Septemberfest"

A duck representing the "Friends of Southwell Park" reminded all that Septemberfest would be held at Southwell Park the weekend of the 24th and 25th. The hours are Saturday noon-10pm and Sunday from noon-5pm. The Lucky Duck Race will be held at 4pm on Sunday.

Liz Marshall - 16 Colonial Drive

Liz Marshall, 16 Colonial Drive came before the Board as a citizen unhappy with the traffic conditions on North Rd. She stated that the current condition is horrible and once construction starts on the Route 3 project it will only get worse. She went on to say that she appreciated what the Board was trying to do as far as alleviating the situation. Mr. Dalton responded that he hoped the funding would come through to install traffic lights in the area and that these improvements would help.

SCHEDULED BUSINESS

Ned Corcoran, Executive Office of Transportation & Construction

Ned Corcoran of the Executive Office of Transportation & Construction came before the Board to provide an overview of the Route 3 expansion project. The section of Route 3 to be worked on is 21 miles long and goes from Route 128 to the New Hampshire border. The project will include the 27 bridges along the route. A full lane is to be added in either direction. The existing lanes and breakdown lane will be widened. Bridges will be built to specifications that include the possibility of a future fourth lane. The cost of the project is expected to be $200 million. The work is to be financed off the Commonwealth books with the money being borrowed privately. The bids are based on a guaranteed price and schedule, with the contractors holding the responsibility for repair and resurfacing etc. July 1, 2000 is the expected start date with a completion date of July 2003.

The bid will be awarded based on the criteria of cost of annual payment, traffic management plan and projected completion date. There is flexibility in the choice of the best value; time over

money could end up providing the best plan. Proposals are due January 29. The contract will be awarded in March and the project started in July. Mr. Corcoran then invited questions from the Board.

Selectman McCall voiced concerns over congestion and wondered about the possibility of night construction. Mr. Corcoran responded that the contractor would have the flexibility to work at night but it would depend on the impact it would have on the surrounding neighborhood. Abutters would be provided with plenty of prior notice. Congestion was certainly a concern and there would be efforts to avoid it. The work would begin outside the roads widening the roadbed and constructing temporary bridges where traffic could be diverted.

Selectman Dalton asked where construction would begin. Mr. Corcoran said that it would start all over with 3 or 4 crews starting at different sites along the route. There were sections that were more complicated than others, the Route 495 and Route 3 exchange being among of them. Mr. Corcoran emphasized that they were looking for proposals that had creative solutions to these challenges. Selectman Dalton went on to echo Selectman McCall's concern about congestion. He wondered about the impact of having construction all over. Mr. Corcoran responded that the contractors would have to develop sophisticated traffic plans and sit down with the communities involved to understand the scope of the problem. Traffic management is an integral part of the project.

Selectman Moran stated that this project is going to have an enormous impact on the local community. There were projects that the community needed to undertake before the Route 3 expansion begins. These projects include the Center and lights on North Road. Selectman Eliopoulos asked when the community committee would assume an active role. Mr. Corcoran said that first formal meeting is scheduled for the first week in October. Grady Mulligan of Lowell has been hired as a full-time liaison.

Senator Fargo assured the Board that traffic lights were included in the transportation bond bill to be taken up Thursday, Sept. 23. She recognized that sequencing these projects was very important. Representative Cleven, House Chair of the Transportation Bond Bill, went on to say that these priorities must be established and that she supported them, however, sometimes things were dropped. Mr. Lynch thanked both Senator Fargo and Representative Cleven for their support and thanked Mr. Corcoran for coming in.

Boulevard Lounge - Change in DBA

Attorney John Shanahan came before the Board to request a change in name for the Boulevard Lounge, 100 Tyngsboro Road to Velocity. Selectman Eliopoulos made a motion to approve the change in DBA for the Boulevard Lounge, 100 Tyngsboro Road to Velocity. Selectman McCall seconded, motion approved unanimously.

James Rich - Christmas Tree License

Selectman Eliopoulos made a motion to approve a license to sell Christmas trees for James Rich at the Center Congregational Church from November 26 - December 23, 9am 9pm. Selectman McCall seconded, motion approved unanimously.

Executive Session

At 8:20, Selectman Eliopoulos made a motion to adjourn to an executive session to discuss real property. Selectman McCall seconded, motion passed unanimously. The regular meeting resumed at 9:05.

TOWN MANAGER APPOINTMENTS

Emergency Planning Committee

Mr. Lynch asked the Board to approve the appointment of Judith Dunigan, public health nurse to the Emergency Planning Committee. Her appointment reflects the concern of the Public Health Department and the Center for Disease Control about the potential for biological warfare and terrorism and the new initiatives to address these issues.

Selectman Eliopoulos made a motion to approve the appointment of Judith Dunigan, RN to the Emergency Planning Committee. Selectman McCall seconded, motion approved unanimously.

TOWN MANAGER REPORTS

Town Meeting

Mr. Lynch reported that he was preparing for the Town Meeting to be held on October 18, 1999.

Road Work

Mr. Lynch reported North Road and Fletcher Road were paved, with progress on Dalton Road coming along.

Chapter 70 Monies

Mr. Lynch encouraged support for the Senate's Chapter 70 budget package. Selectman Eliopoulos made a motion to support the Senate budget package. Selectman McCall seconded, motion approved unanimously.

Perambulation

Mr. Lynch said that perambulation with Westford is set for the second weekend in November. He is talking to Carlisle to set up a time with them as well.

UNSCHEDULED BUSINESS

Town Manager Evaluation

The Town Manager is evaluated by the Board annually in 6 areas: legislative relations, public relations, budget preparation, administration and managerial skills, direction and supervision of Town organizations, and the personal and professional growth of the town manager. The mark is based on a scale of 1 to 5 with 1 meaning "needs considerable improvement" and 5 "needs little or no improvement". The selectmen reviewed their evaluations of Mr. Lynch, starting with Selectman Dalton.

Selectman Dalton gave Mr. Lynch an overall mark of 4.25, citing improved legislative relations. He also commented on Mr. Lynch's exceptional public relation skills. Selectman Dalton suggested Mr. Lynch conduct more meetings with department heads. Mr. Lynch responded that

he was holding more department head meetings with but not necessarily comprehensive meetings. He is looking for ways to hold more focused, useful team meetings with heads that are relevant to one another.

Selectman Eliopoulos declined to focus on a numerical score and instead shared his comments from the evaluation. He is happy with Mr. Lynch's performance and sees many positives. He highlighted the Town Status Report as a great tool. He hopes to only improve the good communication between the selectmen and the Town Manager. He suggested that Mr. Lynch "evaluate" the Board with the intent of clarifying their roles.

Selectman Moran gave Mr. Lynch an overall score of 4.7. He complimented Mr. Lynch on his legislative skills. He said that Mr. Lynch's ability to forecast an accurate budget was an asset to the community. He feels that there needs to be better marketing of the community to reflect the quality of life to be had here.

Selectman McCall said that Mr. Lynch was doing an excellent job in terms of public and legislative relations. He went on to say that Mr. Lynch exceeds expectations in budget preparation and in keeping finances in check. In speaking with the public, he found that people are very pleased with the work done to the infrastructure but would like more neighborhood projects in the future. He gave Mr. Lynch an overall grade of 4.5.

Selectman Weisfeldt gave Mr. Lynch a grade of 4.47 stating that Mr. Lynch works well with all the committees. His public relation skills are excellent, and public feels that they are being served. He went on to say that with the many things on Mr. Lynch's plate, he has done a magnificent job and has surrounded himself with a terrific staff.

Mr. Lynch responded to the evaluation with thanks to the Board. He went on to thank his staff for the tremendous job they do and made special note of the excellent job done by John Coderre. Assistant to the Town Manager. He continued that he had worked very hard over the years to improve the level of communication and to foster good working relationships. They had accomplished a great deal with the recent status report being proof of that.

Warrant Articles

Mr. Lynch briefly went through each of the warrant articles to be taken up at the October 18th Town Meeting. The Board will vote on these items at the October 4th meeting. The articles will be publicly posted after the vote. Of particular note were the articles dealing with the codification project. All the town by-laws, Board of Health and Traffic Rules have been renumbered and reorganized to be brought up to professional standards. Mr. Lynch made special mention of the hard work put into the project by John Coderre.

SELECTMAN REPORTS/REFERRALS

- Selectman Moran reported that he had attended the Canal Walk the previous weekend and had attended the Finance Committee meeting as well.

- Selectman Moran said that he had spoken with some residents in regards to the East School warrant. He reported that the residents would like to meet in a public forum to discuss the future of the property should the Town take it back. Mr. Lynch said that given the sensitivity of the issue, it should be discussed in an executive session. Selectman Eliopoulos made a motion to set up a public forum to discuss the future of the East School

property, pending a discussion with Town Manager Lynch. Selectman McCall seconded, motion approved unanimously.

- Selectman Eliopoulos requested a snow/emergency phone list. Mr. Lynch said that he would put the list together and get it out at the October meeting.
- Selectman Eliopoulos reported that there was an upcoming Traffic Meeting and encouraged the Board to relay any concerns to him as the traffic liaison.
- Selectman McCall relayed the concerns of some Byam School parents regarding the playground. Mr. Lynch said that they are working on it, however, any work on the boulders wouldn't be done for several months. He encouraged the volunteer group to keep in communication with him so that they can work out a schedule and help in whatever way they could.
- Selectman McCall commended the DPW on a job well done in attending to the problems caused by the "hurricane". He also reported that the residents on Bentley Lane were satisfied with the curbing but were still concerned with the drainage.
- Selectman McCall said that at the NMCOG Annual Dinner he spoke with some people about connecting the Chelmsford bus routes.
- Selectman Dalton spoke about the backed-up drains on Vinal Square. Mr. Lynch said that he had spoke to the State about it, as it's a state drain.
- Selectman Dalton asked for the Free Cash figure. Mr. Lynch said he didn't have an exact figure but said it was in the vicinity of 1.5 million, which was enough to meet the goals set.
- Selectman Weisfeldt said that he had attended the Sewer Commission work session and reported that nothing concrete had come of it.
- Selectman Weisfeldt commended the Chelmsford Police Department on a job well done at the Library Walk-a-Thon.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, October 4, 1999 at 7 pm.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing contract negotiations and the acquisition of real property. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business the regular meeting adjourned at 10:30.

Respectfully submitted,

Donna McIntosh

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BOARD OF SELECTMEN MEETING MINUTES
OCTOBER 4, 1999

A regular meeting of the Board of Selectmen was held on October 4, 1999, at the Town Offices at 7:00 p.m. Board members present were Selectman Stuart Weisfeldt, Selectman Bill Dalton, Selectman Phil Eliopoulos, Selectman Michael McCall, and Selectman Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant to the Town Manager.

OPEN SESSION

Forefathers Burying Ground Restoration Project -- Fannin-Lehner Preservation Consultants

Gerald Hardy of the Cemetery Commission came before the board to provide an update on the restoration work done to the Forefathers Burying Ground and to discuss future plans laid out in the preservation plan done by Fannin-Lehner Preservation Consultants. Fannin-Lehner just completed a lengthy, comprehensive study of the cemetery. The plan is to take a multiyear approach to restoration, seeking grants to fund each section of the project. He emphasized that in order for the project to receive matching grants from the Mass. Historical Commission and Dept. of Environmental Management, the Town needs to demonstrate a commitment to the project. The presentation was informational at this point; they were not looking for a formal commitment at this juncture. He introduced Minxie and James Fannin of Fannin-Lehner Preservation Consultants, Concord, MA to speak to the specifics of the study.

Mrs. Fannin said that their work takes them all over, and the Forefathers Burying Ground is one of the most beautiful and best preserved historical cemeteries they've seen. She complimented John Sousa and others on the work they've done to ensure its preservation and especially the preservation of its burial records. The history of early Chelmsford is in this cemetery. A well-known carving family made many of the headstones. Mr. Fannin stated that while the records of the cemetery are well preserved, many of the actual markers are not. Mr. Fannin invited question from the board.

Selectman Weisfeldt asked what the time frame is for the project. Mr. Hardy said the restoration would be carried out over 5 years, depending upon funding from the state. Selectman Moran expressed his support for the project, stating that the restoration of the burying ground compliments other improvements to the center.

John Harrington, Center Water District - Water Health

Mr. Harrington of the Center Water District came before the board to address the concerns of the public regarding the recent discovery of E-Coli in Westford's water supply. He wanted to reassure the public that this is not an issue for Chelmsford, as the water is chlorinated. Any contamination would be caught before it reached the wells. Selectman Weisfeldt said that he had received a call from a resident concerned about a water hook-up with Westford. Mr. Harrington responded that while there had been a hook-up at the beginning of the drought, there wasn't one currently.

Selectman Dalton asked if the districts had any concerns about the water study. Mr. Harrington said that they had no concerns and were in fact supportive of the study. Selectman Dalton went on to say that he would not have been in favor of any study looking to consolidate the districts

but saw the need to study the Town's water resources. Mr. Harrington agreed with Selectman Dalton, saying that it was a win-win situation. He anticipated that the study would find that there was an adequate supply to furnish the town.

APPROVAL OF MINUTES - SEPTEMBER 13, 1999

Selectman Eliopoulos made a motion to approve the minutes from the regular meeting, September 13, 1999. Selectman Dalton seconded, motion approved with one abstention. Selectman McCall abstained.

The minutes from the Board of Selectman Executive Session from September 13, 1999, were to be held until the next meeting.

TOWN MANAGER REPORTS

Snow and Ice Status Report

Mr. Lynch presented the snow and ice status report. The document consists of, among other items an update on prevailing wages, the parameters for snow and ice removal, DPW equipment statistics, and a phone number list.

Tax Rate and Tax Levels

Mr. Lynch was happy to report the success the town has had in keeping the tax level down. Seven or eight years ago Chelmsford ranked 40th, now it ranks 57th. The town also does well in comparison with similar communities especially considering the level of service provided by the town.

Nashua-Lowell Railway

Mr. Lynch reported that he had contacted Representative Meehan's office. and went on record to support the proposed Nashua-Lowell Railway.

Y2K

Mr. Lynch said that the town is in very good shape regarding the Y2K issue. The town has obtained a special policy rider in the event that problems arise. In order to obtain the rider an extensive audit was conducted and the town was found to be in good shape. He went to compliment all the directors and MIS people on their preparedness. A seminar will be held on Oct. 14 at the Senior Center to address Y2K concerns.

SCHEDULED BUSINESS

Traffic Rules and Orders

Mr. Lynch said the Traffic Rules and Orders are the accumulation of all the amendments made by the board over the years. The update to the rules and order are part of the bylaw codification project. John Coderre explained that there aren't any major changes. The rules and orders have been renumbered. The fines have been updated to compare with a survey done to comparable towns.

Selectman Weisfeldt asked if the Rules and Orders would come out in a book form. Mr. Lynch responded that it would. Mr. Coderre went on to say that it would also come out in CD-ROM that could be easily updated to reflect further changes and amendments.

Orders of Taking

Selectman Eliopoulos made a motion to approve the Northwest Chelmsford Area Phase 4A Sewers Order of Taking. Selectman McCall seconded, motion passed unanimously.

Town Meeting Warrant

Selectman Eliopoulos made a motion to post the 48 articles of the Town Warrant. Motion seconded, motion approved unanimously. Selectman McCall was not present for the vote.

SELECTMEN REPORTS AND REFERRALS

- Selectman Weisfeldt thanked Joyce Johnson for her hard work in organizing the SeptemberFest Carnival. He offered congratulations to the Fire Department softball team on their win. He had the pleasure of presenting the "Dalton" trophy to the winner.
- Selectman Weisfeldt announced the Center School Open House to be held on October 17 at 1 p.m. The dedication ceremony is to be held at about 2 p.m.
- Selectman Moran announced a public hearing to be held Thursday, Oct. 7, 1999, at the East School to discuss the future of the property should the Town have the opportunity to purchase it.
- Selectman Moran reported that he attended a Finance Dept. meeting where the Town Meeting Warrants were the main topic.
- Selectman Moran inquired as to the expected occupancy date of the library. Mr. Lynch responded that the library was going to move in the middle of December with a grand opening in January.
- Selectman Moran said that Selectman Eliopoulos had come across a community resource guide from Stoneham and suggested that it would be a good idea for Chelmsford to have one. The guide lists all public sites with a description and contact information. Selectman Eliopoulos continued that it could be put together for close to nothing with the funding coming from advertisement. . Mr. Lynch said that different companies put together different packages. The town was currently working on a map. He also mentioned that the town provided a newcomer packet for people moving to the area.
- Selectman Moran reported on a traffic issue at Golden Cove Rd. Mr. Lynch said that he would have the police look into it.
- Selectman Moran inquired into the matter of a fifteen minute time limit on trucks parked with their engines running at rest areas. Mr. Lynch said that he had looked into it and found that there is a statute on the books (Chapter 90, 16A) that restricts the time to five minutes, with a one hundred dollar fine for violations. He is communicating with Mass Highway to get the signs up.
- Selectman Moran reported that he had attended the Canal Walk and a ribbon cutting ceremony at Allied Supply.
- Selectman Moran addressed a request to the state representative and senator to turn the heat up on budget negotiations.

- Selectman McCall raised the issue of why there wasn't a full exchange on 495 for Route 4 and observed that people were using Route 4 as a way to get on 495 to avoid Route 3. This, he felt, exacerbates problems on Route 4. He proposed examining the traffic patterns in this area with an eye towards finding a way to deter people from using this stretch of Route 4 to avoid Route 3.

- Selectman Eliopoulos said that he would be attending a Traffic and Safety meeting the following day and would discuss traffic on Golden Cove.

- Selectman Eliopoulos reported that as liaison to the School Committee, he had attended a meeting with a group dedicated to examining alternative school funding formulas. Tony Volpe, School Committee Chairman, came forward to talk about this issue. Mr. Volpe said that Judy Maillette has been made liaison to this group (CPR) and requested that Selectman Eliopoulos suggest a member of the board to participate in this group and form a subcommittee from the town, along with Judy and a member of FinCom. He emphasized the importance of this group and strongly encouraged board participation. Selectman Eliopoulos said that he would come back to the board with more information after attending a subsequent meeting.

- Selectman Eliopoulos suggested setting a date to discuss the Liquor Regulations. The board decided to take it up at the November 10 meeting. Mr. Lynch said that a packet would be made available to current license holders.

- Selectman Eliopoulos announced that the Route 3 advisory committee would be meeting this week. He was inclined to push for community input with an emphasis on traffic mitigation. From the community's perspective, traffic mitigation may be of more importance than the best price.

- Selectman Weisfeldt congratulated Coach Rich and the football team on their win over Central Catholic.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing collective bargaining and real property. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business, the regular meeting adjourned at 8:45.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES
OCTOBER 18, 1999

A regular meeting of the Board of Selectmen was held on October 18, 1999 at the Senior Center at 6:45 pm. Board members present were Selectman Bill Dalton, Selectman Phil Eliopoulos, Selectman McCall, and Selectman Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager. Selectman Weisfeldt arrived at the meeting at approximately 7:15 pm.

SCHEDULED BUSINESS

St. John the Evangelist - One-Day Liquor License Approval

Pat Jamros, 19 Dunstable Road, came before the board seeking approval for two One-Day All-Alcoholic Beverage licenses and a One-Day Beer and Wine License. The Beer and Wine License is requested for a Spaghetti Supper to be held October 16 from 5-8 pm. The first All-Alcoholic Beverage license is requested for an Art Auction, to be held November 6 from 7 pm to 11:30 pm. Appetizers will be served from 7-8 pm with the auction following from 8-10:15 pm. The second event is the Annual Volunteer Appreciation Dinner on December 4 from 6:30-11:30 pm.

Selectman McCall made a motion to grant a One Day Beer and Wine License to St. John the Evangelist Church, 115 Middlesex St., North Chelmsford for October 16 from 5:00-8:00 pm, and two One Day All-Alcoholic Beverage Licenses for November 6 from 6:30-11:00 pm and December 4 from 6:30-11:30 pm. Selectman Dalton seconded, motion approved unanimously.

UNSCHEDULED BUSINESS

License to Sell Christmas Trees - Larry Khirallah, Chelmsford Little League

Selectman McCall made a motion to grant a license to sell Christmas Trees to the Chelmsford Little League, represented by Larry Khirallah, at 110 Fields from December 3-December 19 between the hours of 10 am and 8 pm. Selectman Dalton seconded, motion approved unanimously.

Warrant Articles

Mr. Lynch briefly reviewed each of the Warrant Articles, giving the Board of Selectman the opportunity to vote to either recommend, not recommend or wait until the Town Meeting.

Selectman Dalton moved to recommend Warrant Articles 1-11 for approval. Selectman McCall seconded. Motion approved unanimously.

After further discussion, Selectman Dalton moved to recommend articles 13-19, with article 12 to go to Town Meeting and article 14 to be withdrawn. Selectman Eliopoulos seconded, motion approved unanimously.

Selectman Dalton made a motion to recommend articles 23, 24, 25, and 26. Selectman McCall seconded, motion approved unanimously.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing real property. Selectman Dalton seconded and a roll call vote followed: TEM-Nay, WFD-Aye, PME-Aye, MMM-Aye, and SGW-Aye. Selectman Moran expressed his concern over the flow of discussion during executive session and said he would be voting against going into executive session until this issue could be dealt with. There being no further business the regular meeting adjourned at 7:15 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES
OCTOBER 21, 1999

A regular meeting of the Board of Selectmen was held on October 21, 1999 at the Senior Citizen Center at 6:30 p.m. Board members present were Selectman Stuart Weisfeldt, Selectman Phil Eliopoulos, Selectman Michael McCall, and Selectman Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager. Selectman Bill Dalton joined the meeting at approximately 6:50 p.m.

UNSCHEDULED BUSINESS

Arts & Technology Education Fund (ATEF) Appointment

Mr. Lynch recommended Angelo Taranto to the ATEF to fill a vacancy due to the resignation of Sheila Pichette. Selectman Eliopoulos made a motion to approve the appointment of Mr. Taranto to the ATEF. Selectman McCall seconded, motion approved unanimously.

Recycling Committee Appointments

Mr. Lynch recommended four individuals to the Recycling Committee to fill vacancies due to the resignation of Michael Bell and the expansion of the committee to seven members. They are Rick Conti, Marc Grant, Nancy Kaelin and Johanna Morse. Selectman Eliopoulos made a motion to approve the appointments of Rick Conti, Marc Grant, Nancy Kaelin and Johanna Morse to the Recycling Committee. Selectman McCall seconded, motion approved unanimously.

No Left Turn (New Fletcher, New Spaulding and Dawn Roads

Selectman Eliopoulos made a motion to approve signs prohibiting left turns during the hours between 7 am and 9 am on weekdays on New Fletcher, New Spaulding and Dawn Roads. Selectman McCall seconded, motion approved unanimously.

SELECTMAN REPORTS AND REFERRALS

Selectman Moran recommended sending a letter to Governor Cellucci urging him to veto the MBTA assessment line item from the budget. Mr. Lynch responded that a letter would be sent to the governor.

REMAINING WARRANT ARTICLES

Mr. Lynch briefly reviewed each of the remaining warrant articles for the purpose of the board voting on recommending, not recommending the articles or waiting to Town Meeting.
Selectman Dalton joined the meeting at this time and was present for the vote.
Selectman Eliopoulos moved to recommend articles 21, 22, 27, 28, and articles 30-48.
Selectman McCall seconded, motion passed unanimously.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing the Community Host Agreement with Mass. Gravel. Selectman Dalton seconded and a roll call vote followed: TEM-Conditional Aye, WFD-Aye, SGW-Aye, MMM-Aye and PME-Aye. Selectman Moran's vote was based on the condition that there be a future discussion in executive session protocol. There being no further business the regular meeting adjourned at 7:10 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

NOVEMBER 10, 1999

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A regular meeting of the Board of Selectmen was held on November 10, 1999 at the Town Offices at 6:30 pm. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENT

Proclamation - Veterans Day, Regina Jackson

Selectman Eliopolous read a proclamation recognizing Thursday, November 11 as Veteran's Day and urged residents of Chelmsford to remember the personal contributions of all veterans. Ms. Jackson came before the board to remind everyone of the Veteran's Day observation at 11 am.

Proclamation - National Hospice Month
Irene Eagan, Visiting Nurse Association of Greater Lowell

Selectman Eliopoulos read a proclamation declaring November as Hospice Month. Irene Eagan accepted the proclamation and presented the board with some souvenirs from hospice's 90th anniversary celebration.

TOWN MANAGER REPORTS

Y2K

Mr. Lynch reported on the Y2K Meeting at the Senior Center. He commented that it would have been valuable to have had it televised. He announced another meeting to be held at the Town Offices that would be televised. The information session would be held on December 2 at 7 pm.

As far as the town is concerned, it is well prepared for Y2K. In the event that problems arise, contingency plans are in place and emergency generators are available.

Glenview Sand and Gravel

Mr. Lynch reported on the increased activity at the Glenview site. A report will be coming out concerning what is happening at the site.

Town Meeting

Mr. Lynch reported the Town Meeting went well with a number of initiatives going through. Preparations are starting for next year's budget. A big topic at the MMA conference will be educational funding, as there seem to be signs that the state wants to step away from funding. The five-year forecast meeting is being scheduled. Selectman Weisfeldt commended John Coderre on a job well done for his contributions to Town Meeting.

TOWN MANAGER BIDS/CONTRACT AWARDS

Main Street Firehouse Property

Mr. Lynch reported that he had received 3 bids that met requirements for the property at 235 Main Street. Mr. Lynch awarded the bid to Michael Ledwith of 232 Main St. for $29,900.

Selectman Eliopoulos made a motion to approve the award of the bid for the property at 235 Main Street to Michael Ledwith for $29,900. Selectman McCall seconded, motion approved unanimously.

Van for the Senior Center

Mr. Lynch awarded the bid for the Van for the Senior Center to Stoneham Ford Motor Co. in the amount of $32,895. This award comes with Marty Walsh's approval.

Selectman Eliopoulos made a motion to approve the award of the bid for the Senior Center Van to Stoneham Ford for $32,895. Selectman McCall seconded, motion approved unanimously.

Cooperative Bid - Rock Salt

Mr. Lynch awarded the road salt contract to Cargill Salt of Lansing, New York. Jim Pearson concurs.

Selectman Eliopoulos made a motion to approve the award the road salt contract to Cargill Salt of Lansing, New York for $24.78 per ton. Selectman McCall seconded, motion approved unanimously.

Southwell Park Playground

Mr. Lynch awarded the Southwell Park Playground proposal to Ronald L. Packard Inc. The award is based on a superior design, high quality equipment and exceptional experience, as well as recommendations from Holly Rice and Andy Sheehan. The playground equipment is made of steel and plastic, requiring little or no maintenance. The price proposed is $24, 976. The playground should be ready to go by spring.

Selectman Eliopoulos made a motion to approve the Southwell Park Playground to Ronald L. Packard Inc. in the amount of $24,976.

SCHEDULED BUSINESS

Above Ground Storage - Chelmsford Country Club

Mr. Lynch requested approval for a 1,000-gallon above-ground-storage tank for gasoline and diesel at the Chelmsford Country Club. Currently, fuel for the equipment and golf carts is stored in 5-gallon plastic containers. The proposed tank meets all Fire Code requirements. Bailey Laughlin of 69 Park Road inquired about the location of the tank on the course. Mr. Lynch replied that it was located in the middle of the course. Selectman Eliopoulos made a motion to approve a 1000-gallon above ground tank at the Country Club located on Park Road. Selectman McCall seconded, motion approved unanimously.

Public Hearing - Bell Atlantic -- Pole Petition - Hemlock Drive

Joe Gleason of Bell Atlantic came before the board to request a pole petition for 320 feet of underground conduit for the purpose of bringing telephone service to a new four-unit subdivision on Hemlock Drive.

Selectman Eliopoulos made a motion to approve a pole petition for 320 feet of underground conduit in accordance with plan 969. Selectman McCall seconded, motion approved unanimously.

One-Day Licenses - St. Vartanantz Armenian Church

Pat Amboian of St. Vartanantz Church came before the board to request a One-Day All-Alcoholic Beverage License for Dec. 4, 1999, from 7:30 pm to 12 a.m. for the purposes of a Holiday Dance.

Selectman Eliopoulos made a motion to grant St. Vartanantz Church a One-Day All-Alcoholic Beverage License for Dec. 4, 1999, from 7:30 pm to 12 a.m. Selectman McCall seconded, motion approved unanimously.

One-Day Beer and Wine License - St. Mary's Church

Steve Mallette of St. Mary's Church came before the board to request a One-Day Beer and Wine License for Saturday, November 20, from the hours of 7-11 pm for the purposes of a Murder Mystery Night.

Public Hearing - Classification

Mr. Lynch stated that this hearing on tax classification is done annually as required by law. Eric Josephson of the Board of the Assessors made a presentation. He said that in the past year, Chelmsford has grown by 46 new homes, 32 new condos, 5 commercial sites and 4 industrial sites. All this new growth, worth over a million dollars, helps to contribute to the tax base. There is only a 5% vacancy rate in the industrial area. At this point, the tax rate is $17.34. Mr. Josephson reported that the tax ranking has dropped from 54th to 57th, which is below the state average.

Douglas Hausler of the Chelmsford Business Association made a presentation urging the board to continue the current system of a single rate as recommended in the Tax Classification Study of four years ago.

Selectman Eliopoulos made a motion to maintain parity and keep a $17.34 single rate. Selectman McCall seconded, motion approved unanimously.

Public Hearing - Liquor Regulations

John Harrington of Harrington Wine and Liquors came before the board concerning the Liquor Regulations. He commended the board on a fine job. He brought up a couple of typos that the board was aware of and were already corrected. Selectman Dalton asked if it would be appropriate to grandfather anyone who has been serving alcohol for over a year from participating in the TIPS and TAMS program. Mr. Harrington said that he would be in favor of such an amendment. Selectman Dalton said that he would make a motion to that effect. Mr. Harrington then mentioned concerns certain businesses had over the granting of One-Day licenses. They feel that some groups are having them granted in excess and affecting business at established retail locations. Mr. Lynch responded that ABBC set a 30-license limit within a rolling calendar and the Chelmsford regulations follow this policy. He went on to say that no

one group has exceeded that or even come close. Selectman Moran said he would like to see the regulations go into effect for the upcoming licensing cycle. Mr. Lynch said the renewals go out in December and once voted on, the regulations will go out with them.

Selectman Dalton made motion to grandfather-in any managers who have been in place for a year or more from the TIPS and TAMS program. Motion seconded. A discussion ensued as to the feasibility of such a clause. Selectman Moran said that this was a major point in the regulations and would weaken them to apply such a waiver. John Coderre pointed out that such a waiver is arbitrary. Selectman McCall suggested including language that would apply a certain time extension for anyone who hasn't completed the certification program to do so. Selectman Weisfeldt took the vote. Selectman Dalton voted Aye, all else Nay. Motion defeated 4-1.

Selectman Eliopoulos made a motion to approve an amendment granting managers 30 days from the effective date to complete the TIPS and TAMS certification program. Motion seconded and passed unanimously.

Selectman Eliopoulos made a motion to approve the Liquor and One-Day License Regulations as amended effective January 1, 2000. Motion seconded and approved unanimously.

MediaOne License Transfer

Bob Carr, manager of government affairs at MediaOne, came before the board seeking approval for the MediaOne license transfer to AT&T. Regional hearings are complete, and the transfer must go before local boards. Mr. Carr stated that AT&T fit the criteria set by the government for such a transfer: managerial ability, technical ability, legal ability and financial ability. The floor was opened for questions. Selectman Moran commented on the poor level of service that MediaOne provided initially and wondered if AT&T would keep up the current improved level. Mr. Carr responded that AT&T was well equipped to provide a high level of service. Selectman Dalton asked if this transfer would result in a rate increase. Mr. Carr said that there would be no rate increase directly related to the transfer; however, there could be increases due to the regular cost of doing business. In response to a question concerning customer service, Mr. Carr said the management team would remain intact and expected the transfer to be transparent. Mr. Lynch said the local facilities would remain.

Selectman Eliopoulos made a motion to approve the FCC license transfer from MediaOne to AT&T. Selectman McCall seconded, motion approved unanimously. In the interest of full disclosure, Selectman Eliopoulos stated that he had a few shares of AT&T stock.

UNSCHEDULED BUSINESS

Tom Gonsalves, Jr. - Richardson Road Development

Selectman Eliopoulos made a motion to approve the memo of understanding for the TMG 86 Richardson Road development. Selectman McCall seconded, motion approved unanimously.

Planning Board Chairman Resignation/Vacancy

Selectman Eliopoulos made a motion to call a joint meeting with the Planning Board to fill the vacancy left by the resignation of Tracey Wallace Cody at the November 22 meeting. Motion seconded. A discussion ensued as to the possibility of electing alternate members to the board to cover absences. Mr. Lynch agreed to explore the possibility so that it could be voted on at the spring Town Meeting. Motion passed unanimously.

Rename Section of North Road to Olde North Road

Selectman Eliopoulos made a motion to rename the section of North Road, which runs from the McCarthy School to Route 3, to Olde North Road. Selectman McCall seconded, motion approved unanimously.

Sewer Taking -- Phase 4A

Mr. Lynch said that this taking is in accordance with the vote at the April 26th Town Meeting.

Selectman Eliopoulos made a motion to approve the land taking #8515, page 67, parcel #3. Selectman McCall seconded, motion approved unanimously.

SELECTMAN REPORTS/REFERRALS

Route 3 Advisory Committee Update

Selectman Eliopoulos provided an update from the Route 3 advisory committee. The committee has been meeting once a month. To date there are three construction teams remaining out of a field of six. Two have met with Bernie Lynch, Andy Sheehan and Chief McCusker to discuss the main concerns of the community. A letter has been written outlining these concerns. The surrounding communities have been asked to do the same. Some have yet to submit their letters. The RFP has been moved up from 11/4-11/19. The community concerns want to be taken into consideration and incorporated in the RFP.

Selectman Eliopoulos plans to put together a working group made up of business people to assist him in his efforts. Information would be brought to the group and then disseminated from there. This information would include work forecasts. We would like contractors to have an office in town so that they can be accessible to the community. Selectman McCall said that the Web is a great tool for disseminating information and suggested that the state model a site on the Big Dig's site. Selectman Eliopoulos confirmed Ned Corcoran's leaving and his replacement with Margaret O'Meara.

Selectman Dalton expressed his surprise that the letter had gone out before he had a chance to review it. Selectman Eliopoulos responded that given the time constraints in the RFP process coupled with the BOS meeting schedule, it was imperative that the draft letter be submitted. Selectman Dalton stated as Selectman Eliopoulos is representing the board in his capacity as liaison, the board should be allowed to review anything prior to release. Selectman Weisfeldt said that it was a point well taken, and the discussion moved on. Selectman Eliopoulos encouraged the board members to come forward with any suggestions, comments or concerns they had in regard to the project.

The possibility of a public hearing for the residential community was discussed. The board felt that it would be effective after the contract has been awarded. Selectman Eliopoulos made a motion to put together a working group. Selectman McCall seconded, motion approved unanimously.

- Selectman Eliopoulos brought up the concerns of a resident as to when the lights and crosswalk would be going up at the Center School. Mr. Lynch responded that the lights would be going up shortly; the crosswalk was another matter. There were some ADA issues to work out at the moment. At present there is a sidewalk on one side of the street but not the other.

- Selectman Eliopoulos asked Mr. Lynch to address the concerns of a resident over the gas work being done at Routes 3 and 40. Mr. Lynch said that it had been checked out and deemed all right.
- Selectman Dalton inquired into the sidewalks and curbing on Dalton Road. Mr. Lynch said that the contractor was ready to go.
- Selectman Dalton reported that he had attended the Planning Board hearing but was unable to get back into the packed room for the McDonald's hearing. There seems to be a long way to go for McDonalds.
- Selectman Dalton announced the James Good auction to be held at the Radisson Friday, November 26.
- Selectman Dalton reported on the concerns held by some residents that the Finance Report is being released too close to Town Meeting. He would like to have the board set a policy addressing these concerns. Mr. Lynch said that the state says that it doesn't have to be out until 7 days before the meeting. The town releases it 14 days before the meeting. It was decided to explore the matter further. Selectman Dalton made a motion to mail out the warrant. Motion seconded. Ayes have it 4-1 with Selectman Weisfeldt voting against.
- Selectman McCall inquired into the traffic study that was done following his suggestion to perhaps close off a 495 off ramp. Mr. Lynch said that approximately 5,000 cars use that ramp primarily at peak hours. Selectman McCall said that the study was useful in providing a baseline to future traffic studies during and after the Route 3 expansion. Selectman Eliopoulos agreed.
- Selectman McCall reported on his attendance at a teen violence seminar at Representative Meehan's office. He approached one of Meehan's staffers about the Skateboard Park and was waiting to hear back.
- Selectman McCall asked about the Library opening. Mr. Lynch said that it would be opening in December with a grand opening in January. At this point it was 85% complete.
- Selectman Weisfeldt commended those that have worked so hard to find accommodations for the annual library book sale. The books are being held in the Fleet Bank barn. This is an extremely important fundraiser for the library.
- Selectman Moran addressed the MBTA assessment's placement in the state budget. This assessment will ultimately cost the community money and appropriate representatives should be strongly urged to vote against it.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, November 22, 1999 at 7 pm.

Respectfully submitted,

Donna McIntosh

BOARD OF SELECTMEN MEETING MINUTES

NOVEMBER 22, 1999

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A regular meeting of the Board of Selectmen was held on November 22, 1999 at the Town Offices at 7:00 pm. Board members present were Selectman Stuart Weisfeldt, Selectman Bill Dalton, Selectman Phil Eliopoulos, Selectman Michael McCall, and Selectman Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Holiday Lighting and Prelude, December 5 - Linda Harrington, Holiday Decorating Committee

Linda Harrington of the Holiday Decorating Committee announced that the Holiday Prelude would take place on Sunday, Dec. 5 from 4-6 pm with the tree lighting at 5 pm. Some of this year's activities include hay wagon rides, face painting, a visit from both Santa and Piney the talking Christmas tree, and free pictures with Santa Claus. Hot dogs, popcorn and hot chocolate will be served. Donations are welcome.

Proclamation - Hunger/Homeless Week

Selectman Eliopoulos read a proclamation declaring the week ending October 30, 1999 Hunger/Homeless Week. Sandra Donovan received the proclamation and made a brief presentation on behalf of the Food Pantry.

FEMA/National Fire Academy - Executive Fire Officer Program - John E. Parow, Fire Chief

Mr. Lynch thanked Chief Parow for his service and complimented him on his professionalism. He and Selectman Dalton presented Chief Parow with a certificate for the completion of the Executive Fire Officer Program from FEMA and the National Fire Academy. Chief Parow accepted the certificate and explained the program. Chief Parow completed a number of lengthy research projects relating to Town concerns. His topics included EMS service, ISO ratings, accountability systems and rapid intervention teams. He concluded by saying that he believed both he and the Town benefited from this certificate program.

OPEN SESSION

Carlisle St. Boy Scout Property - Tom Markham, Greater Lowell Boy Scouts

Tom Markham of the Greater Lowell Boy Scouts approached the board concerning the dispensation of the property at 60 Carlisle St. The closing with the Merrimack Education Center is set for the following day. The agreement with the Town states that the Town will receive half of the profits from the sale after the costs of any improvements to the property have been factored in. Mr. Markham was specifically addressing the board to request clarification as to what the Town is looking for in terms of documentation of improvements. Mr. Markham referred to the audits provided by the Scouts' CPA firm and questioned why they were inadequate.

Mr. Lynch responded that the Town's attorney John Giorgio requested more documentation and building permits to support the dollar figure for repairs. He suggested that the $61,000 in profit

from the sale be put in escrow until the documentation is provided and a number settled on. Mr. Markham disagreed with this suggestion because the dollar amount was needed to expedite the merger with the Haverhill Scouts. He again raised concerns about the lack of credibility placed on the auditor's assessment. Selectman Dalton said that the auditor's assessment was not necessarily in question, however in order to justify these figures, permits, invoices and other documentation was necessary. The Town was following standard business practices.

Mr. Lynch felt that this was something that could be resolved fairly quickly once the documentation was submitted. Selectman Eliopoulos asked Mr. Lynch if there was a number they could be comfortable with less than the $61,000. Mr. Lynch said at this time there was not. Selectman Dalton then suggested that this was something that should be taken up further in executive session.

SCHEDULED BUSINESS

Public Hearing: Application for Common Victualer License - Drum Hill Convenience Store, 55 Drum Hill Road

The board voted to open the public hearing for the Application of a Common Victualer License for the Drum Hill Convenience Store, 55 Drum Hill Road. As no one from the establishment was present for the hearing Selectman Eliopoulos made a motion to table the licensing. The motion was seconded and passed unanimously. At approximately 8:30 pm Selectman Eliopoulos made a motion to close the public hearing, motion was seconded and passed unanimously.

Application for Change in Liquor License - Bainbridge's Restaurant

Victor Minougian of Perkins and Brown, LLC came before the board representing Bainbridge's Restaurant to request a transfer of All Alcohol Restaurant License from Stoney Brook Ventures Inc. d/b/a Bainbridge's Restaurant to Team Management Group, LLC d/b/a Bainbridge's Restaurant. Peter deCastro will continue to manage the restaurant. There is no change in the hours. The staff is TIPS certified.

Selectman Eliopoulos made a motion to transfer the All Alcohol Restaurant License from Stoney Brook Ventures Inc. d/b/a Bainbridge's at the Mill to Team Management Group, LLC d/b/a Bainbridge's Restaurant, 73 Princeton Street, No. Chelmsford. Selectman McCall seconded, motion passed unanimously.

Application for Change in Manager - Hi-Way Farm Market, 259 Littleton Road

Spiros Vrouhas, owner of Hi-Way Farm Market, 259 Littleton Road, came before the board to request a change in manager for the market from Venus Soukaras-Lukas to Clement Luschick. Mr. Lewis said that Mr. Luschick has worked for him for over ten years and was TIPS certified.

Selectman Eliopoulos made a motion to approve a change in manager for Hi-Way Farm Market, 259 Littleton Road from Venus Soukaras-Lukas to Clement Luschick. Selectman McCall seconded, motion approved unanimously.

Application for Change in Manager - Class II Auto Dealer - Protech Auto Sales II

John Galenius, Protech Auto Sales came before the board to request a change in manager for Protech Auto Sales II, 65 Tyngsboro Road from Scott Barlow to John Galenius and Richard Huard. Selectman Dalton commented that he had gone by and seen more cars than the 12 car license limit on the lot. Mr. Galenius replied that they were being wholesaled and only on the lot

awaiting transport. Mr. Lynch stepped in at this point and stated that the police chief does not recommend the license be granted at this time. He advised Mr. Galenius to discuss the matter with Chief McCusker.

Selectman Eliopoulos made a motion to deny the change in management of Protech Auto Sales, 65 Tyngsboro Rd. from Scott Barlow to John Galenius, 64 Armand Ave., Lowell, MA and Richard Huard, 7 Summit Rd, Billerica, MA based on Police Chief McCusker's recommendation to deny. Selectman McCall seconded, motion approved unanimously.

Public Hearing: Application for Beer & Wine License - Adams Corner Variety, 11 Vinal Square

Attorney Dennis McHugh appeared before the board on behalf of Dipak Karia of Adams Corner Variety, 11 Vinal Square to request a Beer & Wine license for the store. Mr. McHugh explained that modifications would be made to the store to accommodate the sale of beer and wine. He then made a long presentation on behalf of Mr. Karia highlighting his hard work and good citizenship. Mr. Karia is TIPS certified and his wife, who also works in the store, would seek certification should the license be granted.

George Merrill, 108 Dunstable Rd. approached to board to voice his opposition to the license on the basis that local children frequent the store and that the area can't handle the additional traffic such a license could bring.

Paul McGovern, North Chelmsford Congregational Church came before the board to voice opposition to the license. He pointed out that there was a liquor store right down the street that served the needs of the area.

Selectman Eliopoulos made a motion to continue the public hearing for a Beer & Wine license for Adams Corner Variety, 11 Vinal Square to Dec. 13th in accordance with the two week waiting period set forth in the liquor regulations. Selectman McCall seconded, motion approved unanimously.

Joint Meeting - Planning Board and BOS -- Vote to Fill Planning Board Vacancy

Selectman Weisfeldt welcomed the Planning Board and invited candidates, Pamela Armstrong and Charles Piper to come forward and make a presentation in their bid to fill the seat left by the resignation of Tracey Wallace-Cody.

Pamela Armstrong made the first presentation. She highlighted her commitment to the Town and her longtime service to a number of committees and community groups. She mentioned recently taking a seminar on site planning. She stressed the need to balance the needs of commercial interests with residential and open space concerns. Charles Piper, of 4 Clarissa Rd. cited his many years of experience in the financial side of the real estate business. Both answered a series of four questions put forward by Selectman Eliopoulos.

Selectman Eliopoulos polled the Planning Board for their vote. All voted in favor of Pam Armstrong. The Board of Selectman voted as follows; TEM-Armstrong, WFD-Armstrong, SGW-Piper, MMM-Piper and PME-Piper. Pamela Armstrong won the seat 7-3.

APPROVAL OF MINUTES

Selectman Eliopoulos made a motion to approve the minutes from regular BOS meetings for the following dates; 9/20, 10/18, 10/21 and the minutes from the following BOS executive sessions; 9/20, 10/18 and 10/21. Selectman McCall seconded. Motion approved unanimously.

TOWN MANAGER REPORTS

Traffic

Mr. Lynch reported on a letter he received from Chief McCusker regarding traffic. Enforcement has been stepped up with increased police presence in the trouble areas. Visibility increases compliance. He then commended Chief McCusker on his efforts.

Y2K

Mr. Lynch reported that the Y2K Readiness Disclosure Report is complete and provides detailed information on what was done to prepare and the results of the audit. The Town is quite prepared and only one of 15 towns that did such an audit. In addition to this report the website is updated regularly with information. There will be another forum to address the publics concerns regarding Y2K. It will be held on Dec. 9th at 7 pm and will be broadcast and rebroadcast on the cable station. In attendance will be Bell Atlantic, Colonial Gas, FDIC, and the Chelmsford Fire and Police departments. All are invited to attend.

Road Work and Freeman Lake

Bridge work on Boston Rd. should be complete soon. The curbing has been delivered to Dalton Road and will be installed shortly. The Freeman Lake valve project has been completed.

SELECTMAN REPORTS/REFERRALS

- Selectman Dalton reported on his attendance at a number of meetings including the recent Planning Board meeting where Tom Gonsalves presented his Richardson Rd. affordable housing project. He also attended a Building Needs Committee meeting.
- Selectman Dalton mentioned perambulation and said that it was a good way to meet the members of the other boards in the community.
- Selectman Eliopoulos brought up concerns about a section of Main St. that is freezing. Mr. Lynch said that Jim Pearson and his crew would look at it.
- Selectman Eliopoulos reported on a Route 3 meeting he had attended. He went over a letter of community concerns that had been submitted to the state to be incorporated in the RFP. He stated that the RFP had been extended until December 4 so that the contractors could address the concerns. At the previous meeting Selectman Eliopoulos had mentioned the possibility of folding the Route 4 work into the state project. This doesn't look likely however, as the state will only entertain projects that are in the design phase. Mr. Lynch said that despite this, pressure should continue to be put on the state. He and the board then discussed the possibility that's been raised of constructing another off ramp that would end up by Wood St. near the Rourke Bridge. Selectman Eliopoulos encouraged the board to make a decision as to whether such a proposal should be supported.
- Selectman Eliopoulos reported on his attendance at a School Committee meeting. The school committee presented a list of "we agree" statements around the issue of building

needs. Mr. Lynch stated that the board would need to come with its own list of "we agree" statements. He continued that they were still trying to pin down enrollment numbers so that future needs could be accurately addressed.

- Selectman Eliopoulos wished the Chelmsford High School football team good luck on their Thanksgiving Day game against Billerica. He hoped to see all his fellow selectmen at the pre-game breakfast.
- Selectman McCall reported on the Planning Board meeting where the proposed McDonald's was discussed.
- Selectman McCall asked Mr. Lynch to explain purpose of the Merrimack Educational Collaborative, which is set to purchase the Carlisle St. property from the Boy Scouts. Mr. Lynch said that it provides an variety of educational services. They meet the zoning code, as it is an educational group. They must meet all zoning requirements and will need to bring the property up to meet ADA standards.
- Selectman Moran asked about the status of the Davis Rd. light. Mr. Lynch responded that there is an issue with the electric company and the light must be put on a separate pedestal.
- Selectman Moran mentioned that there seems to be more signage around Town and recommended that the building inspector's office do some spot-checking for violations. Mr. Lynch responded that it is conceivable that there are violators and that anyone suspecting a violation should call the building inspector's office.
- Selectman Moran, as the cable liaison updated the public on the possibility of the Chelmsford-Billerica Thanksgiving Day football game being telecast live. Permission for a live broadcast would need to come from Billerica's school administration. At this time, they have declined to grant permission.
- Selectman Weisfeldt announced the ecumenical holiday observance to be held Wednesday, November 24th, 8:00 pm at the Trinity Lutheran Church.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, December 13, 1999 at 7 pm.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing real property. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business the regular meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna McIntosh

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CHELMSFORD

BOARD OF SELECTMEN MEETING MINUTES
DECEMBER 13, 1999

A regular meeting of the Board of Selectmen was held on December 13, 1999 at the Town Offices at 7:00 pm. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant to the Town Manager.

PUBLIC SERVICE ANNOUNCEMENTS

Moment of Silence

Selectman Weisfeldt led a moment of silence in memory of Ted Lekas and the six fallen Firefighters of Worcester.

Census, Vincent Maloney - U.S. Department of Commerce - Bureau of the Census

Vincent Maloney, the district office manager for the Bureau of the Census came before the board to urge residents to respond to the census questionnaires going out in the spring. The census is conducted every ten years. The results have a direct effect on the amount of state and federal aid going to an area. It also determines the number of seats a state has in the U.S. House of Representatives. He emphasized that the answers given to the census questions are held in the strictest confidence. The individual answers cannot be shared with anyone. The Census Bureau is looking to hire area residents to serve as census takers. Those interested can contact the local census office for more information.

OPEN SESSION

Community Productions Spring Benefit Concert, Tom Christiano

Tom Christiano, Executive Director of Community Productions announced the second annual Spring Benefit Concert to be held Sunday, April 1st, 2000. He encouraged everyone to buy their tickets for an extraordinary show benefiting five local non-profit groups. Two thousand dollars was raised last year with the hope of raising more this year.

Arts and Technology Fund - Evelyn Thoren

Evelyn Thoren of the Arts and Technology Fund wanted to alert anyone looking for a tax-deductible donation to look no further. The Arts and Technology Fund is a great way to support education. A little over $8,000 was given to support various educational endeavors in the schools last year and the fund is looking to provide more scholarships this year. Those interested can write a check payable to the Town of Chelmsford and note Arts and Technology Fund on the memo line. Scholarship applications will be available in January.

WCAP Christmas Cheer Telethon - Bill Dalton

Selectman Dalton announced the WCAP and Salvation Army Christmas Cheer Telethon to be held Saturday, Dec. 18 from 6 am - 12 pm. He encouraged everyone to give and place bids on a variety of auction items.

SCHEDULED BUSINESS

Public Hearing: North Chelmsford Auto Parts - Renewal of Class III Auto Dealer

Alexander Davies, owner of North Chelmsford Auto Parts, came before the board to request a Class III Auto Dealer license. Selectman Eliopoulos made a motion to approve the renewal of the Class III Auto Dealer license for North Chelmsford Auto Parts, 10 Sleeper Street. Motion seconded. Renewal approved unanimously.

Public Hearing (Continuation): Application for Beer & Wine License - Adams Corner Variety, 11 Vinal Square

Attorney Dennis McHugh came before the board representing Dipak Karia to seek a Beer and Wine License for the Adams Corner Variety, 11 Vinal Square. This matter was continued from the November 22 meeting in accordance with the two week waiting period mandated by the liquor regulations. Mr. McHugh addressed opposition voiced by those representing the North Congregational Church. The store is located more than 500 feet from the church. Mr. Karia passed the cigarette sting. The store is in fact, right next to police station. Mr. Karia is also concerned with the store layout and is doing everything he can to contain the beer and wine away from the main store. Selectman Weisfeldt opened the floor up to the public.

Mark Connors, 61 Dunstable Road, spoke in support of the beer and wine license. He stated the community needs to support the small area businesses. He added that Mr. Karia runs a clean operation. As far as the proximity to the church, there was at one time a full service liquor store even closer.

Newcomb Cole, 7 Ripley St., said that Mr. Karia's store is open early and closes late and is a vital asset to the Vinal Square area. Mr. Karia is an honest, pleasant person and he's grateful for him being there. The beer and wine license would add to his profit center and could be a factor in his ability to stay in business. He supported approval of the license.

Mary Lee Maguire, 9 Mansur St., voiced her support for the license stating that Mr. Karia should be supported and that she'd like to see stability in the neighborhood.

George Merrill, 108 Dunstable Rd., chairman of the board of the North Congregational Church reiterated the church's opposition on the license. He said that it was the location, not the lack of a beer and wine license, that made it difficult to run a successful business. He was not opposed to Mr. Karia, but to the sale of alcoholic beverages.

Angie Paleologos, 12 Frank St. voiced his support for the license.

Pat Jamros, 19 Dunstable Road supported the license wholeheartedly, saying that there had always been a package store in the vicinity.

Pamela Pudsley, 49 A Dunstable Road, said that she has three children and doesn't feel that it will effect her family. She supports the license.

Tom Christiano, 6 Drew Circle, Town Representative Precinct 9, stated that Mr. Karia works very hard and that the community would like him to stay. Stability should be supported and the beer and wine license could help.

Mark Tremblay, 36 Freeman Road, representing the owners of North Chelmsford Hardware, spoke in support of the license.

Selectman Eliopoulos made a motion to close the public hearing. Motion seconded, public hearing closed.

Selectman Eliopoulos inquired about the type of advertisement that would be featured in the store. Mr. Karia responded that he would stay within the parameters of the Town by-laws. Selectman Moran stated that he appreciated the testimonials, but his vote would be based on need, and at this time there is not a demonstrated need for another alcohol license in the area. Selectman Dalton concurred with Selectman Moran and named three stores: Cedar House, Wood Street, and Drum Hill Liquors in close vicinity to Adams Corner Variety. He continued that there have been a couple of licenses in the Drum Hill area denied in the recent past for similar reasons. Selectman Moran made a finding of fact that there was not a demonstrated need for a beer and wine license.

Selectman Eliopoulos made a motion to grant a beer and wine license for the Adams Corner Variety, 11 Vinal Square. License denied by a vote of 3-2. The votes were: Aye-P. Eliopoulos, Aye-S. Weisfeldt, Nay-B. Dalton, Nay-M. McCall, Nay-T. Moran.

Public Hearing: Sullivan & McLaughlin Communications Group - Billerica Road - Petition to Install Aerial Cable

Selectman Eliopoulos made a motion to approve the installation of 1125 feet of fiber optic cable mounted on existing utility poles on Billerica Road for Sullivan & McLaughlin Communications Group on behalf of Kronos, Inc. Motion seconded, motion approved unanimously.

Public Hearing: Teleport Communications Group – Petition to Install Underground Conduit

Joe Agresta of Teleport Communications Group came before the board with a petition to install 30 ft. of underground conduit in a section of Golden Cove Road.

Tony Volpe, Precinct 1 Town Meeting Rep. and School Committee Chairman, came before the board to point out that where Golden Cove Road empties out is dangerous. He wondered what safeguards were in place for safety, particularly for children. Mr. Lynch said that while the area is not targeted for sidewalks in the near future there would be police details in the area.

Selectman Eliopoulos made a motion to approve the installation of 30 ft. of underground conduit subject to Jim Pearson's conditions. Motion seconded, motion approved unanimously.

Application for 1) Change in Owner Manager; 2) Increase from 12 to 21 Cars - Class II Auto Dealer - Protech Auto Sales

Attorney Robert Wilson, representing John Galenius, came before the board to request a change in owner/manager to John Galenius and John McLaughlin and to increase the number of cars for sale from 12 to 21 on the class II Auto Dealer license. He stated that Mr. Galenius intends to expand the business and bring in higher quality cars. He wishes to establish an honest and reliable business.

Selectman Moran said that he would support the change in manager but not the increase in the number of cars on the lot. Selectman Moran would like to see the business work within the 12 car limit and then perhaps increase it after that. Mr. Wilson responded that the nature of the resale business requires that cars are bought from auction in lots. The cars are then transported off the lot for wholesale. The cars awaiting transport would be counted in the 21 car limit. The

building inspector has visited the lot and approved the increase. Mr. Galenius promised that he would not exceed the 21 car limit. Discussion continued over the issue of customer parking.

Selectman Eliopoulos made a motion to approve the change in manager for Protech Auto Sales, 65 Tyngsboro Road from Scott Barlow to John Galenius, 64 Armand Ave., Lowell, MA and John McLaughlin, 7 Summit Rd., Billerica, MA and to increase the limit from 12 to 21 cars. Motion seconded, approved unanimously.

Center School Transfer to School Committee

Selectman Eliopoulos made a motion to approve transfer control of the Center School from the Town to the School Committee. Motion seconded, motion approved unanimously.

ANNUAL LICENSE RENEWALS

All Alcohol Club Common Victualer

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

American Legion Albert W. Vinal Post
Chelmsford Elks Inc., Lodge 2310

Motion seconded, renewals approved unanimously.

All Alcohol Inn Holders Common

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Treasurer.

PKS Realty, Inc.
Radisson Heritage Hotel & Conference Center

Motion seconded, renewals approved unanimously.

All Alcohol Restaurant Common

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Ttreasurer.

Bainbridge's at The Mill
Banqueteer, The
Bertucci's Brick Oven Pizzeria
Boulevard Lounge, Inc.
CIRO's Inc., 170 Concord Road
Chelmsford Country Club
Country Club, Too Inc.
Dutch Uncles, Inc.

Garlic & Pepper Bistro
Glenview Lounge and Pub
Ground Round, The
Jimmy's Restaurant IV, Inc.
Panda Wok Inc.
Skip's Restaurant
Szechuan Chef Restaurant
Town Meeting Restaurant and Lounge
Vincenzo's Restaurant

Motion seconded, renewals approved unanimously.

Selectman Eliopoulos made a motion to approve the license renewal for CIRO's, Inc., 285 Chelmsford St. subject to a 4 month review and inspection by the Building and Fire Inspectors and payment of taxes and fees or institution of a payment plan as approved by the Town Treasurer. Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the license renewal for the Hong & Kong Restaurant, Inc., 32 Alpine Lane subject to 30 day review for compliance with sign by-laws, ADA compliance for accessible parking, and payment of taxes and fees or institution of a payment plan as approved by the Town Treasurer. Motion seconded and approved unanimously.

Automotive Dealer Class I

Selectman Eliopoulos made a motion to approve license renewal for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

Route 3A Motors, Inc.

Motion seconded, renewal approved unanimously.

Automotive Dealer Class II

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

Chadwick-BaRoss, Inc.
Chelmsford Auto Sales, Inc.
Duffy's Auto Co., Inc.
Ferreira Wrecker Sales
J.M. Auto Sales of Chelmsford, Inc.
Jim Gervais Sales, Inc.
John's Auto Sales
Landry's Automotive
Morton Jaguar Service, Inc.
N.T.C. Automotive

North Chelmsford Mobil
Northeast Transmission Company, Inc.
Protech Auto Sales II
R and P Auto Sales
Silva's Garage & Auto Sales
Stony Brook Auto Body, Inc.
Tony's Used Cars

Motion seconded, renewals approved unanimously.

Selectman Eliopoulos made a motion to approve the license renewal for Merrimack Auto Sales, Inc., 166 Middlesex St. subject to meeting conditions set by the Board of Health by January 1, 2000 and payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer. Motion seconded, renewal approved unanimously.

Beer and Wine Common Victualer

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

Amici's Trattoria
Chelmsford House of Pizza and Seafood
EVZON, Inc.
Jack's Diner
Jimmy's Pizza, Subs and Seafood
Kastore Restaurant
Papa Gino's Acquisition Corp.

Motion seconded, renewals approved unanimously.

Beer and Wine Limited Common

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

Khoo and Ng Corporation
Seafood Connections Restaurant

Motion seconded, renewals approved unanimously.

Common Victualer

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

A+ Mini Market
Adam's Corner Variety
Antonio's Pizza
BC Boston, L.P.
Bianco and Sons Catering
Bickford's Family Restaurant
Bradlee's Snack Bar
Brickhouse Pizza
Brueggers Bagel Bakery
Burger King Restaurant
Café Aroma
Café-Bake Shoppe
Carvel Ice Cream Store
Carven Catering Service
Chelmsford Brother's Restaurant, Inc.
Chelmsford Centre Deli
Chelmsford Quick Mart, Inc.
Colonial Oven Bakery, Inc.
Common Cup Café
Country Club USA
D'Angelo's Sandwich Shop/Steve's Ice Cream
Domino's Pizza
Dunkin' Donuts, Drum Hill Road
Dunkin' Donuts, 105 Chelmsford Street
East Coast Video and Convenience
Einstein Brothers Bagels
Elliot's Hot Dogs
Fresh Chow Chinese Restaurant
Friendly Ice Cream Corp.
Gary's Ice Cream
Home Made Pizza
I.Z.A Pizza
McDonald's Restaurant
One Ten Restaurant
Pizza Place, The
Ray-Lee Corp.
Shell Food Mart
Tai Shiang Garden Restaurant

Timbo's
Togo's Eateries, Inc.
Tony & Ann's Pizza
Village Square Convenience Store
Zesty Pizza

Motion seconded, renewals approved unanimously.

Package Store All Alcohol

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

Drum Hill Liquor Mart
Harrington Wine & Liquors
Hi-Way Farm Market
M.W.N., Inc.
The Corner Cupboard Store
The Wine Rack
Westland Package Store

Motion seconded, renewals approved unanimously.

Package Store Beer and Wine

Selectman Eliopoulos made a motion to approve license renewals for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the Town Treasurer.

Ted's Market, Inc.

Motion seconded, renewals approved unanimously.

Seasonal Common Victualer

Selectman Eliopoulos made a motion to approve license renewal for the following, subject to the payment of all taxes and fees or by the institution of a payment plan as approved by the town treasurer.

Sully's Ice Cream

Motion seconded, renewal approved unanimously.

UNSCHEDULED BUSINESS

Dalton Road Parking

Mr. Lynch read from a memo from Jim Pearson regarding parking on Dalton Road from Steadman to Sylvan Avenue. They want to post signs restricting parking in this area. The convenience store located in that vicinity will be asked for their input on what hours a parking ban would be more conducive for them. The matter was tabled for the time being.

APPROVAL OF MINUTES

Board of Selectman Meeting: October 4, 1999 and Executive Session: October 4, 1999

Selectman Eliopoulos made a motion to approve the BOS regular meeting minutes and the Executive Session minutes from October 4, 1999. Selectman McCall seconded. Selectman Moran made a correction to Executive Session minutes. The minutes should include a reference to the comparable salary sheet. The minutes were approved as amended.

TOWN MANAGER REPORTS

Double Pole Report

Mr. Lynch reported that there were only 69 poles remaining out of 240. Substantial progress has been made.

Y2K

Mr. Lynch reported that all Town systems and vendors are Y2K compliant. In an audit completed to purchase an insurance policy Chelmsford received a ranking of #1 in every category. Mr. Lynch gave credit to all Department Heads and staff, with special thanks to John Coderre for pulling everything together for the audit.

Police Station and Library

The police station project has gone out to bid.

Work on the library is nearing completion. The whole children's wing is complete. Books are being reshelved in their new home. The library should be open for business sometime in January.

Water Study

The water study is under way. Letters have gone out requesting information from the districts. The Center and East districts have expressed interest in cooperating.

Center Project

Mr. Lynch reported that the Center Project is moving forward. Work is scheduled to begin sometime in 2000. When he had more information he would bring it forward to the board.

SELECTMAN REPORTS/REFERRALS

- Selectman Moran inquired about the status of signs prohibiting a left turn on certain streets off Golden Cove Road. Mr. Lynch said the signs had been ordered and should be up soon.
- Selectman Moran mentioned that the sidewalks now in place on Davis Road have made the road very narrow, especially for truck traffic. He wondered if truck traffic should be restricted. Mr. Lynch said that standards are set by the state but it would be looked into.
- Selectman Moran asked for an update on the Traffic Action Plan. Mr. Lynch said that he would get it out at the next meeting. Selectman Moran went on to ask about the North Road lights. Mr. Lynch said that it's in the Transportation Bond bill and should be picked up sometime in January or February. Selectman Eliopoulos interjected that he had put in a plug for the lights. Selectman Moran said that he's seen the speed board up in several locations throughout Town.
- Selectman McCall reported on a meeting with Bobby Kennedy of the LRTA. The bus schedules are being reviewed and it is a good time to bring up any changes. Selectman McCall was thinking specifically of the need for a route from Drum Hill to the center of Town.
- Selectman McCall said that he had been speaking to people concerning Park and Ride. There was a proposed site up on Tyngsboro Road. Selectman Eliopoulos said that it was in the RFP to have two Park and Ride sites during the Route 3 project.
- Selectman Weisfeldt reported on the Sewer Commission meeting. Funding is going to be a problem. They will be working with Senator Fargo and Representative Cleven so that this will stay a priority.
- Selectman Eliopoulos reported on the Route 3 project. The RFP is going to the construction firms. They will have 90 days to come up with a proposal. Sixty days from that date a contract will be rewarded. A web site is in the RFP. The state will maintain the snow and ice removal. The next meeting is scheduled for January 6, 2000.
- Selectman Eliopoulos said that there would be a seminar on the Senior Pharmaceutical Assistance Program on January 12, 2000.

NEXT REGULAR MEETING

The next meeting is scheduled for Monday, January 10, 2000 at 7 pm at the Town Offices.

EXECUTIVE SESSION

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing real property. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business the regular meeting adjourned at 9:20 pm.

Respectfully submitted,

Donna McIntosh

Mark Tremblay, 36 Freeman Road, representing the owners of North Chelmsford Hardware, spoke in support of the license.

Selectman Eliopoulos made a motion to close the public hearing. Motion seconded, public hearing closed.

Selectman Eliopoulos inquired about the type of advertisement that would be featured in the store. Mr. Karia responded that he would stay within the parameters of the Town by-laws. Selectman Moran stated that he appreciated the testimonials, but his vote would be based on need, and at this time there is not a demonstrated need for another alcohol license in the area. Selectman Dalton concurred with Selectman Moran and named three stores: Cedar House, Wood Street, and Drum Hill Liquors in close vicinity to Adams Corner Variety. He continued that there have been a couple of licenses in the Drum Hill area denied in the recent past for similar reasons. Selectman Moran made a finding of fact that there was not a demonstrated need for a beer and wine license.

Selectman Eliopoulos made a motion to grant a beer and wine license for the Adams Corner Variety, 11 Vinal Square. License denied by a vote of 3-2. The votes were: Aye-P. Eliopoulos, Aye-S. Weisfeldt, Nay-B. Dalton, Nay-M. McCall, Nay-T. Moran.

Public Hearing: Sullivan & McLaughlin Communications Group - Billerica Road - Petition to Install Aerial Cable

Selectman Eliopoulos made a motion to approve the installation of 1125 feet of fiber optic cable mounted on existing utility poles on Billerica Road for Sullivan & McLaughlin Communications Group on behalf of Kronos, Inc. Motion seconded, motion approved unanimously.

Public Hearing: Teleport Communications Group – Petition to Install Underground Conduit

Joe Agresta of Teleport Communications Group came before the board with a petition to install 30 ft. of underground conduit in a section of Golden Cove Road.

Tony Volpe, Precinct 1 Town Meeting Rep. and School Committee Chairman, came before the board to point out that where Golden Cove Road empties out is dangerous. He wondered what safeguards were in place for safety, particularly for children. Mr. Lynch said that while the area is not targeted for sidewalks in the near future there would be police details in the area.

Selectman Eliopoulos made a motion to approve the installation of 30 ft. of underground conduit subject to Jim Pearson's conditions. Motion seconded, motion approved unanimously.

Application for 1) Change in Owner Manager; 2) Increase from 12 to 21 Cars - Class II Auto Dealer - Protech Auto Sales

Attorney Robert Wilson, representing John Galenius, came before the board to request a change in owner/manager to John Galenius and John McLaughlin and to increase the number of cars for sale from 12 to 21 on the class II Auto Dealer license. He stated that Mr. Galenius intends to expand the business and bring in higher quality cars. He wishes to establish an honest and reliable business.

Selectman Moran said that he would support the change in manager but not the increase in the number of cars on the lot. Selectman Moran would like to see the business work within the 12 car limit and then perhaps increase it after that. Mr. Wilson responded that the nature of the resale business requires that cars are bought from auction in lots. The cars are then transported off the lot for wholesale. The cars awaiting transport would be counted in the 21-car limit. The

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